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A

DISSERTATION

UPON

PARTIES;

In SEVERAL LETTERS to

CALEB D'ANVERS, Esq;

Dedicated to the RIGHT HONOURABLE

Sir ROBERT WALPOLE.

Multa me dehortantur à vobis, quirites, nî ſtudium reipublicæ omnia ſuperet; opes factionis, veſtra patientia, jus nullum, ac maximè, quod innocentiæ plùs periculi, quàm honoris eſt. Nam illa quidem piget dicere, his annis xv. quàm ludibrio fueritis ſuperbiæ paucorum; quàm fædè, quàmque inulti perierint veſtri defenſores; utî vobis animus ab ignaviâ atque ſocordiâ corruptus ſit; qui ne nunc quidem, obnoxiis inimicis, exſurgitis, atque etiam nunc timetis eos, quibus vos decet terrori eſſe. Sed quanquam hæc talia ſunt; tamen obviam ire factionis potentiæ, animus ſubigit. Certè ego libertatem, quæ mihi à parente meo tradita eſt, experiar; verum id fruſtrà, an ob rem faciam, in veſtrâ manu ſitum eſt, quirites. Neque ego vos hortor, quod ſæpe majores veſtri fecere, uti contrà injurias armati eatis. Nihil vi, nihil ſeceſſione opus eſt. Neceſſe eſt, ſuomet ipſi more præcipites eant.

Salluſt. bell. jugurth. in Memmii orat.

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To the RIGHT HONOURABLE

Sir *Robert Walpole*,

KNIGHT of the moſt noble order of the Garter, chancellor and under-treaſurer of the exchequer, firſt commiſſioner of the treaſury, and one of his majeſty's moſt honourable privy-council, &c.

SIR,

AS ſoon as the demand of the public made it neceſſary to collect the following papers together, and to prepare a ſecond edition of them, I took the reſolution of addreſſing them to you. The ſtyle of my dedication will be very different from that, which is commonly employ'd to perſons in

your ſtation. But if you find nothing agreeable in the ſtyle, you may find perhaps ſomething uſeful, ſomething that will deſerve your ſerious reflection, in the matter of it. I ſhall compare you neither to BURLEIGH, nor GODOLPHIN. Let me not profane the tombs of the dead to raiſe altars to the living. I ſhall make you no compliments on the wiſdom of your adminiſtration, nor on the wonders you have perform'd, to the honour and advantage of this kingdom, in the courſe of fourteen, or fifteen years, either at home, or abroad. I ſhall leave theſe copious themes to others, and ſhall confine myſelf to reaſons of another kind, that induced me to this dedication. If theſe reaſons prove ſufficient to convince the public of the extreme propriety of it, I have all that I propoſe to myſelf. Give me leave to preſent to you, in one ſhort view, the general deſign of theſe little eſſays.

THEY

THEY are deſign'd then to expoſe the artifice, and to point out the ſeries of misfortunes, by which we were divided formerly into parties, whoſe conteſts brought even the fundamental principles of our conſtitution into queſtion, and whoſe exceſſes brought liberty to the very brink of ruin.

THEY are deſign'd to give true ideas of this conſtitution, and to revive in the minds of men the true ſpirit of it.

THEY are deſign'd to aſſert and vindicate the juſtice and honour of the revolution; of the principles eſtabliſh'd, of the means employ'd, and of the ends obtain'd by it.

THEY are deſign'd to explode our former diſtinctions, and to unite men of all denominations in the ſupport of theſe principles, in the defence of theſe means, and in the purſuit of theſe ends.

THEY are deſign'd to ſhew how far theſe ends were anſwer'd at the

revolution, or have been anſwer'd ſince; and by conſequence how much, or how little is wanting, to render that glorious work complete, according to the original plan, and agreeably to the engagements taken, at that time, with the nation.

LET me now appeal to you, ſir. Are theſe deſigns, which any man, who is born a Briton, in any circumſtances, in any ſituation, ought to be aſhamed, or afraid to avow? You cannot think it. You will not ſay it. That never can be the caſe, until we ceaſe to think like freemen, as well as to be free. Are theſe deſigns in favour of the pretender? I appeal to the whole world; and I ſcorn, with a juſt indignation, to give any other anſwer to ſo ſhameleſs, and ſo ſenſeleſs an objection. No; they are deſigns in favour of the conſtitution; deſigns to ſecure, to fortify, to perpetuate that excellent ſyſtem of government

vernment. I court no other cauſe; I claim no other merit.

" Stet fortuna domûs, et avi nu-
" merentur avorum.

LET the illuſtrious and royal houſe, that hath been call'd to the government of theſe kingdoms, govern them till time ſhall be no more. But let the ſpirit, as well as the letter of the conſtitution, they are intruſted to preſerve, be, as it ought to be, and as we promiſe ourſelves it will be, the ſole rule of their government, and the ſole ſupport of their power; and whatever happens in the courſe of human contingencies, whatever be the fate of particular perſons, of houſes, or families, let the liberties of Great-Britain be immortal.

THEY will be ſo, if that conſtitution, whoſe genuine effects they are, be maintain'd in purity and vigour. A perpetual attention to this great point is therefore the intereſt and duty

of

of every man in Britain; and there is ſcarce any man, who may not contribute to the advancement of it, in ſome degree. The old may inform the young, and the young may animate the old. Even they, who are moſt retired from the ſcene of buſineſs, may be uſeful, in this cauſe, to thoſe, who are in it; to thoſe, who are heated by the action, diſtracted by the cares, or diſſipated by the pleaſures of the world. I ſay, they may be uſeful; and I add, that they ought to be ſo to the utmoſt, that their ſituation allows. Government is the buſineſs of thoſe, who are appointed to controul them. But the Britiſh conſtitution is the buſineſs of every Briton. It is ſo more particularly, indeed, of perſons raiſed, like you, to the higheſt poſts in the government. You lye under particular obligations of this kind, beſides the general engagements of intereſt and duty, that are common to all; and a neglect in

others

others would be a breach of truſt in you. We ſay that our kings can do no wrong. The maxim is wiſely eſtabliſh'd, and ought to be follow'd, no doubt, as far as the conduct of princes renders the obſervance of it practicable. But from the eſtabliſhment of this maxim reſults the neceſſity of another, without which the exerciſe of the executive power would remain under no controul. Though our kings can do no wrong, and though they cannot be call'd to account by any form our conſtitution preſcribes, their miniſters may. They are anſwerable for the adminiſtration of the government; each for his particular part, and the prime, or ſole miniſter, when there happens to be one, for the whole. He is ſo the more, and the more juſtly, if he hath affected to render himſelf ſo, by uſurping on his fellows; by wriggling, intriguing, whiſpering, and bargaining himſelf into this danger-

ous

ous poſt, to which he was not call'd by the general ſuffrage, nor perhaps by the deliberate choice of his maſter himſelf. It follows then that miniſters are anſwerable for every thing done to the prejudice of the conſtitution, in the ſame proportion as the preſervation of the conſtitution in its purity and vigour, or the perverting and weakening it, are of greater conſequence to the nation than any other inſtances of good, or bad government.

BELIEVE me, ſir, a reverence for the conſtitution, and a conſcientious regard to the preſervation of it, are in the political, like charity in the religious ſyſtem, a cloke to hide a multitude of ſins; and as the performance of all other religious duties will not avail in the ſight of God, without charity, ſo neither will the diſcharge of all other miniſterial duties avail in the ſight of men, without a faithful diſcharge of this principal duty.

Should

Should a minister govern, in various instances of domestic and foreign management, ignorantly, weakly, or even wickedly; and yet pay this reverence, and bear this regard to the constitution, he would deserve certainly much better quarter, and would meet with it too from every man of sense and honour, than a minister, who should conduct the administration with great ability and success, and should at the same time procure and abet, or even connive at such indirect violations of the rules of the constitution as tend to the destruction of it; or even at such evasions as tend to render it useless. A minister, who had the ill qualities of both these, and the good ones of neither; who made his administration hateful in some respects, and despicable in others; who sought that security by ruining the constitution, which he had forfeited by dishonouring the government; who encouraged the profligate, and seduced

ced the unwary, to concur with him in this deſign, by affecting to explode all public ſpirit, and to ridicule every form of our conſtitution; ſuch a miniſter would be look'd upon moſt juſtly as the ſhame and ſcourge of his country; ſooner or later he would fall without pity; and it is hard to ſay what puniſhment would be proportionable to his crimes. To conclude this head therefore; ſince the obligation of intereſt and duty on every man, eſpecially on every miniſter, and more eſpecially ſtill on a prime, or ſole miniſter, to reverence the conſtitution, to conform his conduct to it, and neither to invade, nor ſuffer it to be invaded by others, are ſo undeniable, and ſo ſtrong; and ſince the means, which the miniſter's power gives him to preſerve it in purity and vigour, or to corrupt and weaken it, are ſo many; nothing could be more proper than a dedication to one, in your exalted ſtation, of papers, that are written to explain this intereſt,

and

and to enforce this duty, and to preſs them on the underſtanding and conſcience of every man in Britain; but of him moſt, who is moſt concern'd.

After the general reaſons, that have been given, and ſuggeſted, for addreſſing this dedication to you, give me leave to deſcend into ſome, that are a little more particular, and that regard the man, as well as the miniſter.

If the principles of the revolution, and the means employ'd in it, have not been vindicated by me, with as great force of reaſon and eloquence, as they were by you, in a famous oration you made at Sacheverel's tryal, they have been vindicated however to the beſt of my power. The cauſe is the ſame, though the performances are not equal; and ſince the cauſe is the ſame, the cauſe will recommend my writings to your good opinion, how little ſoever you may like the advocate. But I have ſomething

thing more to urge in my own favour. You had a ſermon to condemn, and a parſon to roaſt; (for that, I think, was the decent language of the time) and, to carry on the allegory, you roaſted him at ſo fierce a fire that you burnt yourſelves. Your arguments being confined to the propoſitions this preacher had advanced, you may ſeem rather to have juſtify'd reſiſtance, or the means employ'd to bring about the revolution, than the revolution; for though the principles of the revolution were, and muſt for ever remain true, and though the means were juſt, and will for ever be ſo, in caſes of the like nature; yet true principles, and juſt means, require to be farther ſanctify'd by their ends. The man, who ſhould affect the greateſt zeal for the principles then eſtabliſh'd, and the means then uſed, would deſerve, I think, to be rank'd among the falſe brethren, and would prove himſelf a treacherous, and

and a mercenary friend to the revolution, if he ſhew'd any indifference about the ends obtain'd, or endeavour'd in any manner to defeat thoſe, that were intended to be obtain'd by it. The people, who run ſo great a riſque, and bring about ſo great an event, in order to reſtore their conſtitution, and to ſecure their liberties againſt dangers of every kind, and eſpecially againſt thoſe, which recent experience hath taught them to apprehend, have ſurely a good right to the whole benefit of ſuch a revolution; and they cannot be deprived of any part of this benefit, or left expoſed to any ſhadow of the ſame dangers, by any rule of juſtice, or good policy.

Such conſiderations as theſe made me think that, to aſſert and vindicate fully the honour and juſtice of the revolution, it was neceſſary that the ends of the revolution ſhould be inſiſted upon in my arguments, whether

ther they were ſo or not in yours; and that the importance of the ſubject, as well as the difference of the occaſions, (for the whole lay open before me) would be a ſufficient reaſon for ſupplying in the copy what was wanting in the original. I have endeavour'd therefore to ſhew how much our conſtitution hath been improved, how far our liberties have been better ſecured by the revolution, and how little is wanting to compleat that glorious deſign, and to render the Britiſh conſtitution the moſt perfect ſyſtem of a free government, that was ever eſtabliſh'd in the world. If all the ends of the revolution are already obtain'd, it is not only impertinent to argue for obtaining any of them, but factious deſigns might be imputed, and the name of incendiary be apply'd with ſome colour, perhaps, to any one, who ſhould perſiſt in preſſing this point. On the other hand, if any of theſe ends have not been fully

obtain'd,

obtain'd, the reproach of faction and the title of incendiary will belong to every perſon, who raiſes a conteſt by his oppoſition to theſe inſtances, and who endeavours to make the friends of the conſtitution paſs for enemies to the government. Thus it is eaſy to join iſſue; and when iſſue is once join'd, it cannot be difficult to decide. If a principal end of the revolution was to ſecure the nation for the future againſt all the dangers, to which liberty, as well as religion, had been expoſed before the revolution; if one of theſe dangers aroſe from the corruption, that had been employ'd to create a dependency of the two houſes of parliament on the crown; if this corruption might have ſucceeded very probably then, had the means been ſufficient to ſupport it; if no proviſion was made, at the revolution, to ſecure the independency of the two houſes, and the freedom of elections, againſt corruption; if no proviſion had

hath been made againſt this danger, ſince the revolution, proportionable to that increaſe of the poſſible means of corruption, which hath happen'd ſince the revolution, by the increaſe of the revenue of the crown, of debts, of taxes, and of officers, and powers to raiſe theſe taxes; if all this be ſo, (and the whole merits of the cauſe may be ſafely reſted there) how can it be pretended that all the ends of the revolution have been already obtain'd? They have not moſt certainly. When, and in what manner, they ſhall be obtain'd, it would be preſumption in any private perſons ſo much as to inſinuate. They may repreſent ſuch things as they judge to be of uſe to the public, and may ſupport their repreſentations by all the reaſons, that have determined their opinions. Thus far their province extends. All beyond this belongs to their ſuperiors; and, in the caſe before us, to the wiſdom of the nation aſſembled

aſſembled in parliament. This however I would add; that as a conſiſtency of character ſeems to exact from you a zeal for obtaining all the ends of the revolution, ſuitable to that, which you have expreſs'd for the principles it eſtabliſh'd, and the means it employ'd, ſo the particular obligations you lye under to promote the honour and intereſt of his preſent majeſty, and of his royal family, ſeem to exact the ſame; for, after all, the revolution is the foundation of the preſent ſettlement; whatever ſtrengthens the foundation, ſtrengthens the ſuperſtructure; and there can be no need of going about to prove that to obtain all the ends of the revolution is to ſtrengthen that foundation. The arguments, that prevail'd formerly with many againſt the principles and means of the revolution, are quite exploded; the prejudices againſt them are quite worn out. We may therefore perſuade, without flattering ourſelves, that the founda-

tion of our preſent ſettlement, and of all our future national happineſs, is laid immoveably in theſe two reſpects. Shall it not be ſo, and does it not become you in a particular manner to endeavour that it ſhould be ſo, in every reſpect? Could you forgive yourſelf, if you neglected the firſt opportunity of concurring to remove the leaſt pretence from the diſaffected, nay from the well-affected, to ſay that the ends of particular men, of parties, and of families, have been anſwer'd by the revolution, even beyond their ſeveral expectations; but that the national expectations have not been ſo fully anſwer'd, nor the ends of the revolution entirely obtain'd? No man knows better than you the truth and force of what hath been here advanced. No man therefore is able to make a juſter application of it to the moſt important intereſts of your country, to the true intereſt of your royal maſter, and to your private intereſt too; if that will add,

add, as I preſume it will, ſome weight to the ſcale; and if that requires, as I preſume it does, a regard to futurity, as well as to the preſent moment. Upon the whole matter therefore, I cannot but expect that you ſhould receive favourably an addreſs, made ſo properly, and in which, if I have preſs'd you a little warmly, yet I have done it with the decency, that every gentleman owes to another, at leaſt to himſelf. You will allow me, and every friend of the revolution and of liberty, leave to hope that the time is coming, when you will not oppoſe, or ſhall not have it in your power to oppoſe, the endeavours of thoſe, who promote the entire completion of all the ends propoſed by the firſt, and the full ſecurity of the laſt. Whenever this happens; whenever the independency of the two houſes of parliament, and the uninfluenced and uninfluenceable freedom of elections, are once effectually ſecured againſt the dangers,

that may poſſibly ariſe hereafter from the growth of corruption; then will all our future kings be reduced to the agreeable neceſſity of eſtabliſhing their thrones, as we are obliged to acknowledge that the throne is now eſtabliſh'd, not on the narrow and ſandy foundations of court-craft, and unconſtitutional expedients, but on the popularity of the prince, and the univerſal affection of the ſubjects; foundations of the kingly authority ſo evidently ſuppoſed by our conſtitution, that a king, who will add weight to his ſcepter, muſt govern by them, or govern againſt this conſtitution, againſt the very rule of his government.

I AM now come to the laſt reaſon, drawn from the ſubject of theſe writings, that I ſhall trouble you with, for dedicating them to you. The attempt to extinguiſh the animoſities, and even the names of thoſe parties, that diſtracted the nation ſo long, ſo fatally at firſt, and ſo fooliſhly at laſt, intitles

intitles this volume to your kind reception of it; at leaſt, as properly as the attempt to expoſe the dangers, that may poſſibly ariſe herafter, from corruption, to the independency of parliament, and to the freedom of elections. Whilſt a real difference of principles and deſigns ſupported the diſtinction, we were divided into national parties; and this was misfortune enough. It was lamented as a great one, at the time, by every good man of every party. But if the diſtinction ſhould remain, when the difference ſubſiſts no longer, the misfortune would be ſtill greater; becauſe they, who maintain'd the diſtinction, in this caſe, would ceaſe to be a party, and would become a faction. National intereſts would be no longer concern'd; at leaſt, on one ſide. They would be ſometimes ſacrificed, and always made ſubordinate to perſonal intereſts; and that, I think, is the true characteriſtic of faction. This attempt

therefore ought to have your approbation. To dedicate it to you may be conſtrued to ſuppoſe that it will have your approbation; and he, who ſuppoſes that it will, makes you no indifferent compliment.

When the court fomented our national diviſions, the very worſt deſigns were carry'd on; for to divide can never be an expedient for good purpoſes, any more than to corrupt; ſince the peace and proſperity of a nation will always depend on uniting, as far as poſſible, the heads, hearts and hands of the whole people, and on improving, not debauching their morals. "Divide et impera," is a maxim often quoted. How are we to apply it? There is no place for it in arbitrary governments; for in them, the intereſt of the governors requires that a ſervile union, if it may be call'd an union, ſhould be maintain'd by the weight of power, like that of ſlaves in a galley, who are united by their chains,

chains, and who tug the oar together, at the ſound of a whiſtle. In free governments, it can have place as little, whilſt they, who are at the head, intend the maintenance of liberty. To what caſe then can it be apply'd? There is but one, and that is the caſe of thoſe, who aſpire at more power than a free conſtitution of government gives them. Such governors muſt divide and incenſe parties one againſt another, that they may be always able to bribe the paſſions of one ſide, and ſo uſurp on both. But the prince, who purſues this method, riſques the power he hath for a power he does not want. He would be the more inexcuſeable, under ſuch a conſtitution as ours; becauſe, if he could not gain eſteem by his great, he might gain affection by his good qualities; and this principle would carry him, even better perhaps than the other, to the power he would obtain. What can a prince deſire more than to be placed

at

at the head of an united people; among whom he may have as many friends as he pleaſes, and can have no enemies, unleſs he creates them, by ſuppoſing them to be ſuch, and by treating them accordingly? If the deſigns of a prince, in fomenting the diviſions, are to invade the liberties of his people, his deſigns are laid in the utmoſt folly. When a people ſubmits quietly to government, and is willing to obey on the terms, on which alone their prince hath a right to command, how extravagant muſt his demands be, and how unaccountable his conduct, to divide ſuch a people? Shall he expect, for inſtance, that all his people ſhould think like him and his council, about every occurrence, about every meaſure he takes, and every man he employs; and ſince this is too much to aſk of freemen, nay of ſlaves, if his expectation be not anſwer'd, ſhall he form a laſting diviſion upon ſuch tranſient motives? Shall he proſcribe

proſcribe every man, as an enemy to his government, who diſlikes the adminiſtration of it? Proſcriptions are abominable, and inhuman, when they are back'd by a fulneſs of arbitrary power. But to hang up the tables of proſcription, without the power of ſending centurions to cut off every head, that wears a face diſliked at court, would be madneſs in a prince. Such a conduct cannot ſuit his intereſt, however it may his paſſions, in any circumſtance whatever. There are indeed circumſtances, wherein it may ſuit the intereſt of a miniſter. Till the ſword of civil war be drawn, a prince can ſcarce become irreconcileable with his people, and be reduced, for want of national ſtrength, to ſupport his power and dignity by the force of faction. But a miniſter may fall eaſily, and ſoon, into this deſperate ſtate; and after fomenting, as long as he could, the diviſions of parties, he may have no refuge but in faction.

There

There may be ſuch a conduct, as no national party will bear, or at leaſt will juſtify. But faction hath no regard to national intereſts. Faction therefore will bear any thing, ſhare in any thing, juſtify any thing. If the miniſter, who takes this method to ſupport himſelf, hath any art, he will endeavour to diſguiſe his faction under the name and appearance of a national party. But even this diſguiſe will ſoon fall off. The beſt of thoſe, who were engaged in the party, will quit the faction, and then the latter muſt ſtand confeſs'd to view. But it is not only the criminal conduct of a miniſter, and the fear of reſting his adminiſtration on the national judgment, that may oblige him to govern by diviſion, and by faction. As the moſt oppoſite notions are often united in the head, ſo are the moſt contrary ſentiments in the heart of man. Incapacity often begets ſufficiency; and yet a conſciouſneſs of incapacity often begets

begets a jealouſy of power, grounded on a ſenſe of the ſuperior merit of other men. The miniſter, who grows leſs by his elevation, like a little ſtatue placed on a mighty pedeſtal, will always have this jealouſy ſtrong about him. He muſt of courſe ſelect a faction to himſelf; and this faction muſt be compoſed, to anſwer his purpoſes, of men ſervilely obſequious, or extremely inferior to him by their talents. Whenever this happens, the reign of venality, of proſtitution, of ignorance, of futility, and of dulneſs commences. The miniſter will dread to ſee the perſons employ'd, whom he ſecretly eſteems, for this very reaſon, becauſe he eſteems them. Abilities to ſerve the commonwealth will be an objection ſufficient to outweigh the ſtrongeſt proofs of attachment to the perſon of the prince, and of zeal for his government; nay, even the merit of a whole life ſpent in giving theſe proofs. In

ſhort,

ſhort, the very reaſons, that ſhould determine the prince to employ men, will determine the miniſter to proſcribe them. Diſlike, or contempt of him, will paſs with his maſter for diſaffection to the government; and, under this pompous name of government, will nothing but the paultry intereſt, or humour, of the miniſter be couch'd. The miniſter will reap, perhaps, (for even that may be doubtful) the immediate benefit of dividing, or maintaining the diviſions of the nation, and of nurſing up faction, by continuing longer in power, his ſole ſecurity, and by deferring, if not eſcaping, the evil day, the day of account and retribution. But the prince will reap, in this caſe, the permanent miſchief of eſtabliſhing diviſion and faction; and may poſſibly make the lamentable exchange of his own popularity, for his miniſter's impunity. I need not finiſh up this picture of imagination, ſince I write to you,

who

who know ſo much better than I pretend to do the characters of men, and the arts of government. It is ſufficient that I have hinted at the general cauſes and effects of the endeavours, that are ſometimes uſed, and to which Great-Britain hath not been a ſtranger, to foment national diviſions, and to govern by the faction of a miniſter, arm'd with the power of the prince, againſt the ſenſe and ſpirit of a nation, and the intereſt of the prince himſelf. This may ſerve, and it is all I ſhall ſay, to beſpeak your approbation of the papers that follow, on account of the matter they contain.

But, ſir, the reaſons I have given, how pertinent ſoever they may be, are not the only reaſons I had for addreſſing myſelf, in this manner, and upon this occaſion, to you. There are reaſons of another kind; reaſons, that come ſtill more home to yourſelf; reaſons, that appear very important to me, and that will appear ſo

ſo to you, perhaps, when you have reflected duely on them, and have weigh'd impartially the conſequences of them. I ſhall preſs theſe reaſons with all the plainneſs and force, that decency permits, in ſo public and perſonal an application; becauſe, though truth may ſometimes offend, I am very indifferent to offences taken with truth on my ſide. If you hearken to truth, which men in your ſtation ſeldom hear, you may be the better for it. If you do not, the author of this dedication cannot be the worſe; for I will add, upon this occaſion, that whoever he is, he is one you cannot impoſe upon, in your private capacity, neither as a man, nor as a gentleman; and that you can as little do it, in your public capacity. You cannot diſappoint him; becauſe the temper of his mind gives you no hold on him. He hath neither avarice to make him deſire riches, nor ambition to make him deſire

deſire power, nor vanity to make him deſire honours. You cannot oppreſs him; becauſe he is free from guilt, and from every probable (for no man is free from every poſſible) imputation of guilt. The laws of his country are his protection; and they are ſufficient to protect every Briton, who reverences and obeys them, in how peculiar a ſituation ſoever he may be found. They, who act againſt theſe laws, and they alone, may have reaſon to fear, let their ſituation be never ſo high, or their preſent power never ſo great.

HAVING ſaid this, I proceed to obſerve to you, that you are in the right moſt certainly to retort by yourſelf, or others, in the beſt and ſmarteſt manner that you, or they can, whatever the writings publiſh'd in the Craftſman may contain, which you judge to be injurious to yourſelf, or reflecting on your adminiſtration. The public will judge uprightly upon the

the whole matter. The Laughers will be for thoſe, who have moſt wit, and the ſerious part of mankind for thoſe, who have moſt reaſon on their ſide. Again. As to affairs of peace, or war, public occurences, domeſtic management, foreign negotiations, in ſhort, the news of the day, and the current buſineſs of the time, weekly and daily papers, or more elaborate anniverſary treatiſes, are properly employ'd by you to explain, in your own favour, the ſeries of your conduct; to refute Caleb; or, which is ſtill more eaſy, and by ſome thought as uſeful, to keep the cavil on one point, till a new one is ſtarted, that draws off the attention of the world. All this may be call'd fair war; and whoever prevails in the judgment of the public, the public will reap information from the conteſt, and will have reaſon to be pleaſed with theſe appeals, which preſent an image of the cuſtom, that obtain'd in the antient commonwealths of

of Greece and Rome, where the greateſt intereſts of the ſtate were debated, and the greateſt men in thoſe governments were accuſed and defended in public harangues, and before the whole people.

But the writings of the Craftſman have not been confined to theſe ſubjects, that are perſonal, or temporary. The cauſe of the Britiſh conſtitution hath been pleaded through the whole courſe of theſe papers; every danger to it hath been pointed out; every ſecurity, or improvement of it, hath been explain'd and preſs'd. Now here, ſir, begins my complaint. I ſaid that the cauſe of our conſtitution hath been pleaded in the Craftſman; and I am ſorry that the expreſſion is ſo preciſely juſt, that no other would come up to the caſe. The cauſe of the conſtitution hath been pleaded; for the conſtitution hath been attack'd; openly, inſolently attack'd, and is ſo every day by thoſe, againſt whom the

Craftſman ſo often employs his pen. Who could have expected, (for I will give an inſtance or two) who could have expected, at this time, and under the preſent eſtabliſhment, to hear the neceſſity of maintaining ſtanding armies, in times of peace, even againſt the people of Britain, who maintain them, contended for and aſſerted? Who could have expected to hear a dependency, a corrupt dependency of the parliament on the crown, contended for and aſſerted to be a neceſſary expedient to ſupply a want of power, which is falſely ſuppoſed, in the crown; as if our fathers had oppoſed, and at length deſtroy'd that chimæra, call'd prerogative, formerly ſo dangerous to our liberties, for no other reaſon but to furniſh arguments for letting looſe upon us another monſter, more dangerous to our liberties by far? Who could have expected that attempts to revive the doctrines of old whiggiſm, and the principles and ſpirit of the revolution,

revolution, in oppoſition to ſuch manifeſt contradictions of them all, would give any umbrage, or cauſe any alarm, among men, who ſtill affect to call themſelves whigs, and pretend zeal for a government, that is founded on the revolution, and could not have been eſtabliſh'd without it? This could not have been expected, I think; and yet ſo it is. There are perſons, who take to themſelves the title of miniſterial writers, that have ſometimes the front to aſſume that of writers for the government. Theſe perſons are not content to ring, in daily panegyric, encomiums on the wiſdom and virtue, the juſtice and clemency, the ſucceſs and triumphs of your adminiſtration, and to anſwer, or to attempt to anſwer, the almoſt innumerable objections, that have been made (it matters not here whether juſtly, or unjuſtly) to your conduct at home, and your own, and that of your brother abroad; but they take fire, they ſhew an alarm,

and they grow angry, whenever any thing is written, nay when a word is dropt, in favour of the fundamental articles of Britiſh liberty. Sometimes they argue directly, and in plain terms, againſt them. Sometimes they perplex and puzzle the cauſe; evade what they cannot deny; and when they cannot impoſe a fallacy, endeavour at leaſt to hinder men from diſcerning a truth. Thus, ſir, they mingle your juſtification with the condemnation of our conſtitution; and labour, as much as in them lies, to make your preſervation and the deſtruction of this conſtitution a common cauſe. If you could poſſibly doubt the truth of what is here advanced, I might refer you to the particular pamphlets and papers, which are known at leaſt by the anſwers, that have been given to them; till ſuch time as an extract of all the paſſages, hinted at here, be made public, as I hope it will; and whenever it is, I dare

dare appeal beforehand to your private thoughts, whether the principles they contain, and the conſequences deducible from them, would not deſtroy, if they were to take place, the whole ſcheme of the Britiſh conſtitution. It hath been aſk'd, why do the writers on one ſide eternally harp on liberty, and the conſtitution? Do they mean to inſtil jealouſy and diſtruſt, and to alienate the minds of the people? In what inſtances have the laws been broken, or hath the conſtitution been invaded by thoſe, who govern? Theſe queſtions deſerve an anſwer; and I ſhall anſwer the firſt by aſking another queſtion. Why do the writers on one ſide eternally labour to explain away liberty, and to diſtinguiſh us out of our conſtitution? If nothing had been ſaid of this kind, I am perſuaded that much leſs would have been ſaid of the other; and I can aſſure you, with great truth, that the public had not been troubled par-

ticularly with this Diſſertation upon parties. As to the other two queſtions, they may be taken together. There is a plain and real difference between jealouſy and diſtruſt, that may be obſerved in the preſent caſe. Men may be jealous, on account of their liberties, and I think they ought to be ſo, even when they have no immediate diſtruſt that the perſons, who govern, deſign to invade them. An opportunity of invading them open'd, is reaſon ſufficient for awakening the jealouſy; and if the perſons, who have this jealouſy, apply to thoſe, who govern, to help to cure it, by removing the opportunity, the latter may take this, if they pleaſe, as a mark of confidence, not diſtruſt; at leaſt, it will be in their power, and ſurely it will be for their intereſt, to ſhew that they deſerved confidence, in this caſe, not diſtruſt. But it will be always trifling, and fooliſh, to aſk what laws have been broken, what invaſions on the

the conſtitution have been made; becauſe as nothing of this ſort will be done, when there are no deſigns dangerous to the conſtitution carried on; ſo when there are ſuch deſigns, whatever is done of this ſort will be private, indirect, and ſo cover'd, that the greateſt moral certainty may be deſtitute of proof. Whenever any of theſe things are done publicly, directly, and in a manner to be eaſily proved, the danger will be over, the conſtitution will be deſtroy'd, and all fear for it and concern about it will be impertinent, becauſe they will come too late. If ever that old trite maxim, "principiis obſta," was well apply'd, it is ſo in the caſe we ſpeak of here.

The reaſons I have given for mentioning theſe writers ought to excuſe me for it; at leaſt to you; and even to you I ſhall ſay very little more about them. The flowers they gather at Billinſgate, to adorn and enliven their productions, ſhall be paſs'd over by

by me, without any reflection. They assume the privilege of watermen and oyster-women. Let them enjoy it in that good company, and exclusively of all other persons. They cause no scandal; they give no offence; they raise no sentiment but contempt in the breasts of those they attack; and it is to be hoped, for the honour of those, whom they would be thought to defend, that they raise, by this low and dirty practice, no other sentiment in them. But there is another part of their proceeding, which may be attributed by malicious people to you, and which deserves for that reason alone some place in this dedication, as it might be some motive to the writing of it. When such authors grow scurrilous, it would be highly unjust to impute their scurrility to any prompter; because they have in themselves all that is necessary to constitute a scold; ill manners, impudence, a foul mouth, and a fouler heart. But when they

they menace, they riſe a note higher. They cannot do this in their own names. Men may be apt to conclude therefore that they do it in the name, as they affect to do it on the behalf, of the perſon, in whoſe cauſe they deſire to be thought retain'd. Many examples of theſe menaces might be quoted, and moſt of them would be found directed againſt one particular perſon. After employing the whole impotence of their rhetoric againſt him, and venting for many years together, almoſt without notice on his part, as much calumny as their imaginations could furniſh, a pamphlet hath been lately publiſh'd, the profeſs'd deſign of which is to call for a vigorous proceeding in parliament againſt this man. To introduce this propoſal, it is preceeded by a long ſeries of facts; ſome notoriouſly falſe; ſome, which it is impoſſible ſhould be true; others, which it is impoſſible this writer ſhould know to be true,

if

if they were ſo; and others again, not only deſtitute of proof, but even of probability. Such accuſations muſt be brought by ſome ‡ creature of ſo notoriouſly proſtituted a conſcience, that his evidence would be rejected in any common cauſe, and ſhould not be refuted therefore by me, if I was concern'd to refute him. But, ſir, if I take notice of this libel, or refer to others of the ſame kind, it is not done out of regard to theſe authors, whom I deſpiſe, as I am perſuaded the perſon does, againſt whom all the virulence of their malice is directed. My concern, upon this occaſion, is for you alone, and you will allow me to repreſent what that concern dictates. It is poſſible that you may have very ſtrong reſentments againſt this perſon, and he againſt you. It is poſſible that you may have ſhewn yours, and he may have ſhewn his, according

‡ See the grand accuſer, &c. p. 77.

according to the different circumſtances you have been in, and the different opportunities you have had. But this will not become a matter of ſtate, though you are a miniſter of ſtate. The public will eſpouſe your paſſions no more than his; nor concern itſelf to enquire who gave the firſt occaſion to theſe reſentments; who hath acted the part of a fair, and who of a treacherous enemy. It is, I doubt, too certain that the public hath been employ'd ſometimes to revenge private quarrels, and to ſerve the low turns of envy, or jealouſy. But, in all theſe caſes, the public hath been impoſed upon; theſe motives have been conceal'd; others have been pretended; and the others have been of a public nature alone; becauſe the bare ſuſpicion of any private intereſt, or paſſion, in a public proſecution is ſufficient, and moſt juſtly ſo, to create invincible prejudices to it. The ſcribblers I ſpeak of have laid you there-

fore

fore under great diſadvantages, notwithſtanding your elevation, and your power, whether you deſign any thing againſt the perſon ſo obnoxious to you, or not. They ſhould have conceal'd induſtriouſly what they have affected to proclaim; ſince it is certain that, how great ſoever your popularity in the nation may be, they will never bring up mankind to think that any perſon ſhould be proſecuted by methods extraordinary, or even ordinary, purely for your eaſe, your pleaſure, or your ſafety. If they could prove, what they frequently throw out, that every man is a friend to the pretender, who is not a friend to you; and that he, who objects to your conduct in the adminiſtration, endeavours to pull down the preſent government, and ſet up another; then, indeed, they might raiſe a ſpirit againſt this particular perſon, for aught I know; but moſt certainly againſt many others, of much greater conſequence, who appear

pear every day, in the face of the world, not to be your friends, and who make no ſcruple of objecting, with the utmoſt freedom, to your conduct. But ſuch aſſertions as theſe will only ſerve to make men angry, or laugh. They, who have the beſt opinion of your abilities, will no more agree that the preſent eſtabliſhment is ſupported, than that it was made, by you. They will never be wanting in their reſpect to the crown ſo much, as to confound the cauſe of the king with the cauſe of his miniſter; or to ſuppoſe that the reins of government would grow weaker in his majeſty's hand, if you was out of power, or out of the world. In ſhort, ſir, you may paſs, and I believe you do paſs juſtly, for a man of extreme good parts, and for a miniſter of much experience; but you would not deſire, I think, to be repreſented as the ATLAS, who ſupports this ſtate; and your brother will not certainly paſs for the

HERCULES,

HERCULES, who relieves you, and who ſuſtains, in his turn, the important burthen.

I KNOW very well that ſomething is added to ſupply, if that were poſſible, this defect, and to make the cauſe more plauſible. It is pretended that the writings imputed to this particular perſon, and ſeveral others publiſh'd in the Craftſman, contain reflections of a very extravagant, indecent, and even ſeditious nature; ſuch as they alone, who are capable of ſuppoſing them, are capable of making. But then theſe reflections are to be proved by the conſtructions, which the accuſers make of the expreſſions employ'd by thoſe, whom they accuſe; conſtructions as arbitrary, and as forced, as many of thoſe, by which ſome of the beſt men at Rome were brought within the interpretation of the law of majeſty, by ſome of the worſt. Examples of much the ſame

ſort

ſort have been ſet even in Britain, whilſt the practice prevail'd of ſuppoſing innuendos, and parallels, and oblique meanings, and proſecuting and condemning men on ſuppoſitions and interpretations. But there is no room to fear that any ſuch examples ſhould be renew'd, whilſt † a Britiſh ſpirit prevails in a Britiſh parliament. Whilſt that ſpirit prevails, no parliament will condemn any man upon principles, which parliaments have always condemn'd as unjuſt and tyrannical. Leſs than any will they condemn thoſe, who write in defence of this conſtitution, at the requeſt and on the inſtances of thoſe, who attack it. A Britiſh ſpirit and the ſpirit of the Britiſh conſtitution are one and the ſame; and therefore ‡ if ever there ariſes a Britiſh ſpirit in a Britiſh parliament, of which I preſume no doubt ought to

† See ſome conſiderations concerning the public funds, &c. p. 98.

‡ Ibid.

to be made at this time, vengeance will not overtake the former; it may be the latter.

What hath been ſaid might ſuffice to ſhew how fooliſh and vain it is to throw out menaces againſt thoſe, who have nothing to fear, at a time, when zeal to preſerve the conſtitution in every part inviolate ſeems daily to increaſe. But ſince I have enter'd on the ſubject, and the matter ſeems of ſome concernment to you, give me leave to add one conſideration more, that may ſerve to ſhew how fooliſh and vain ſuch a proceeding would be, even at any other time. Let us ſuppoſe that the very perſon pointed at was, and could be proved to be, the author of this Diſſertation upon parties, for inſtance, which I now dedicate to you. Let us ſuppoſe that the reſolution was taken to follow the generous and equitable advice of the pamphlet writer, who thinks he ought to be proceeded againſt in a peculiar manner.

manner. Let us even ſuppoſe that we lived in an age, when parliaments were brought, in ſome degree, under that very dependency, againſt which ſo much is ſaid in this Diſſertation. In ſhort, let us ſuppoſe that the moſt innocent man, who was obnoxious to thoſe in power, might have reaſonable grounds to fear an exorbitant exerciſe of this power againſt him. But then let us make one ſingle ſuppoſition on the other ſide. Let us ſuppoſe that this obnoxious man was really in earneſt; that he wrote from his heart; and that he felt there the ſame warmth for the Britiſh conſtitution, which he expreſs'd in his writings, and labour'd to infuſe into the breaſt of every other man. I would aſk you, ſir, do you think ſuch a man would be aſhamed to avow, in the face of his country, the contents of the following ſheets, or be afraid to ſuffer for them? Could any eloquence, even yours, if you would em-

ploy it ſo unworthily, expect, by the help of falſe ſurmiſes, and invidious comments, (the baſe inventions of little railers) to make him paſs for an enemy to the preſent eſtabliſhment, who had proved himſelf a friend to that conſtitution, in conſequence of which, and for the ſake of which alone, this eſtabliſhment was made? Would his endeavours to reconcile parties, and to aboliſh odious diſtinctions; would pleading for the attainment of all the ends propoſed by, and promiſed at the revolution; for ſecuring the independency of the two houſes of parliament, and the freedom of elections, as effectually againſt corruption, as they are already ſecured againſt prerogative; would this, I ſay, make him paſs for the greateſt of criminals? No, ſir, not in the breaſts even of thoſe, who gave ſentence againſt him, if men capable of giving ſuch a ſentence could be found. Among the reſt of mankind his innocency would

would be acknowledged; his conſtancy would be applauded; his accuſers, and his grand accuſer, in the firſt place, would paſs alone for criminal. He might fall a victim to power; but truth and reaſon, and the cauſe of liberty would fall with him; and he, who is buried in their ruins, is happier than he, who ſurvives them. Thus I am perſuaded the perſon here intended would be found, upon trial, to think. The event therefore of ſuch a proſecution, whatever it might be, could not turn to his diſadvantage; and conſequently to threaten him with it would be ridiculous, even at ſuch a time as we have ſuppoſed, much more at the preſent. Void of all ambition, except the ambition of honeſt fame, he might ſtand the efforts of violence in ſuch a cauſe, not only with little concern, but with much inward complacency. Weary of the world, determined and preparing to retire totally from it, he would

ſurely ſuſpend his retreat to face the perſecution; and whatever his perſecutors might imagine, they would erect a ſort of triumphal arch to the man they hated. He would leave the world with more honour than they would remain it it. By ſuffering in defence of the conſtitution of his country, they, who had thought favourably of him, would think that he crown'd the good, and they, who had entertain'd prejudices againſt him, that he atoned for the ill, which had been imputed to him. Such different judgments you know, ſir, will attend every man's character, who acts on our divided ſtage; and he is happy, who can reconcile them ſo nearly. It never happens that there is a man, of whom all ſpeak well; as it rarely, very rarely, happens that there is a man, of whom all ſpeak ill, except thoſe, who are hired to ſpeak well.

I FIND it hard to leave off, when I have the honour of writing to you, ſir; but having now explain'd the principal reaſons, that induced me to addreſs this dedication to you, it is time that I ſhould force myſelf to a concluſion, and ſhall conclude by recommending the following ſheets to your ſerious peruſal. I recommend them to nothing elſe. I do not apprehend that they will want your patronage any more than the perſon, who wrote them. Let them ſtand, or fall in the public opinion, according to their merit. But if you ſhould find any thing in them, that deſerves your notice, you will have an obligation to one, from whom you leaſt expected any; to,

SIR,

Your moſt humble ſervant,

THE AUTHOR OF THE DISSERTATION UPON PARTIES.

THE two following political books may be had of R. FRANCKLIN in Ruſſel-ſtreet, Covent-Garden. Price 5s. each.

I. Remarks on the hiſtory of England, from the minutes of HUMPHRY OLDCASTLE.

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A

DISSERTATION

ON

PARTIES.

LETTER I.

SIR,

TO CORRUPT and to DIVIDE are the trite and wicked expedients, by which ſome miniſters in all ages have affected to govern; but eſpecially ſuch as have been leaſt capable of exerting the true arts of government. There is however a difference to be made between theſe two expedients, to the advantage of the latter, and by conſequence between the characters of thoſe, who put them in practice.

EVERY buſy, ambitious child of fortune, who hath himſelf a corrupt heart, and becomes maſter of a large purſe, hath all that is neceſſary to employ the expedient of CORRUPTION with ſucceſs. A bribe, in the hand of the moſt blundering coxcomb, that ever diſgraced honour and wealth and power, will prevail as much as in the hand of a man of ſenſe, and go farther too, if it weigh more. An intriguing chamber-maid may ſlip a bank-note into a griping paw, as well as the moſt ſubtle dæmon of hell. HORACE may govern as triumphantly by this expedient as the great knight, his brother, and the great knight as BURLEIGH himſelf.

BUT every character cannot attempt the other expedient of dividing, or keeping up diviſions with equal ſucceſs. There is, indeed, no occaſion for any extraordinary genius to divide; and true wiſdom deſpiſes the infamous taſk. But there is need of that left-handed wiſdom, call'd cunning, and of thoſe habits in buſineſs, call'd experience. He, that is corrupted, co-operates with him that corrupts. He runs into his arms at the firſt beckon; or, in order ſometimes to raiſe the price, he meets him but half way. On the other hand, to divide, or to maintain and renew the diviſion of the parties in a ſtate, a ſyſtem of ſeduction and fraud is neceſſary to be carried on.

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The DIVIDED are so far from being accessory to the guilt, that they would not be DIVIDED, if they were not first deceived

FROM these differences, which I have observed between the two expedients, and the characters and means, proper to put them in practice with success, it may be discover'd perhaps why, upon former occasions, as I shall hereafter shew, the expedient of DIVIDING prosper'd so much better than that of CORRUPTING; and why, upon some later occasions, the expedient of CORRUPTING succeeds so well in those hands, which are not, and, I trust, will not be so lucky in maintaining, or renewing our party-divisions.

MUCH hath been written by you, Mr. D'ANVERS, by your correspondents and others, who have drawn their pens in the cause of truth, virtue, and liberty, against the right reverend, as well as undignify'd, the noble, as well as ignoble assertors of corruption; enough surely to shame those, who have not lost all sense of shame, out of so ignominious a crime; and to make those, who have not lost every other sense, tremble at the consequences of it. We may flatter ourselves that these honest endeavours have had some effect; and have reason to hope that far greater will follow from those illustrious examples of repulses, which have been lately given to the GRAND CORRUPTOR, notwithstanding his frequent and insolent

lent declarations that he could ſeduce whomſoever he had a mind to gain. Theſe hopes are farther confirm'd to us by repeated declarations of the ſenſe of parliament, and will be turn'd, we doubt not, into certainty, whenever the wiſdom of the two houſes ſhall again think it proper to raiſe new barriers of law againſt this encroaching vice.

IN the mean time, I think nothing can better anſwer the deſign of your papers, nor promote the public good more effectually in the preſent conjuncture, than to put our countrymen frequently on their guard againſt the artifice, which is clumſily, but induſtriouſly employ'd to maintain, and, if it be poſſible, to create NEW DIVISIONS amongſt them. That day, which our fathers wiſh'd to ſee and did not ſee, is now breaking upon us. Shall we ſuffer this light to be turn'd again into party darkneſs by the incantations of thoſe, who would not have paſs'd for conjurors, even in the days of ſuperſtition and ignorance? The nation is not only brought into an uniformity of opinion concerning the preſent adminiſtration, by the length and the righteous conduct of it; but we are grown into an unanimity about principles of government, which the moſt ſanguine could ſcarce have expected, without extravagance. Certain aſſociations of ideas were made ſo familiar to us, about half a century ago, and became

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in the courſe of time ſo habitual, that we ſhould have not been able, even a few years ago, to break them, nor have been eaſily induced to believe, on the faith of any prediction, that experience and the evidence of facts would, in a few years more, break them for us, deſtroy all our notions of party, and ſubſtitute new ones in their room.

THE power and majeſty of the PEOPLE, an ORIGINAL CONTRACT, the authority and independency of PARLIAMENTS, liberty, reſiſtance, excluſion, abdication, depoſition; theſe were ideas aſſociated, at that time, to the idea of a WHIG, and ſuppoſed by every Whig to be incommunicable, and inconſiſtent with the idea of a TORY.

DIVINE, hereditary, indefiezable right, lineal ſucceſſion, paſſive-obedience, prerogative, non-reſiſtance, ſlavery, nay, and ſometimes popery too, were aſſociated in many minds to the idea of a TORY, and deem'd incommunicable, and inconſiſtent, in the ſame manner, with the idea of a WHIG.

BUT now that, which neither ſide would have believed, on the faith of a prediction, is come to paſs;

" ——quod divum promittere nemo
" Auderet, volvenda dies en! attulit ultro."

Theſe aſſociations are broken; theſe diſtinct ſets of ideas are ſhuffled out of their order; new combinations force themſelves upon us; and it would actually be as abſurd to impute to the tories the principles, which were laid to their charge formerly, as it would be to aſcribe to the projector and his faction the name of whigs, whilſt they daily forfeit that character by their actions. The bulk of both parties are really united; united on principles of liberty, in oppoſition to an obſcure remnant of one party, who diſown thoſe principles, and a mercenary detachment from the other, who betray them.

How this change for the better comes to have been wrought in an age, when moſt things have changed for the worſe; and ſince it hath been wrought, why the old diſtinctions are kept up in ſome meaſure, will I think be accounted for in treating this ſubject farther. At preſent, what ſhall we ſay to thoſe, who publicly ſpeak of this national union as impracticable and chimerical; yet privately act againſt it, with all their might, as a practicable thing, and a real evil to them? If it be as compleat and as well cemented, as I imagine it is, and as every honeſt Briton wiſhes it may be; nay, if there is nothing more than a ſtrong tendency on all ſides towards it, which no man of the leaſt obſervation and candour will deny; it is ſurely the duty of every one, who

who desires the prosperity of his country, to seize the opportunity, to cultivate and improve it. If men are to be known by their works, the works of those, who oppose this union, denote them sufficiently. Wicked and unhappy men! who seek their private safety, in opposing public good. Weak and silly men! who vainly imagine that THEY shall pass for the NATION, and the NATION for a FACTION; that THEY shall be judged in the right, and the WHOLE BODY OF THE PEOPLE in the wrong. On whom would they impose? How long do they imagine that so unequal a contest can last?

THERE is no complaint, which hath been more constantly in the mouths, no grief hath lain more heavily at the hearts of all good men, than those about our national divisions; about the spirit of party, which inspires animosity and breeds rancour; which hath so often destroy'd our inward peace; weaken'd our national strength, and sullied our glory abroad. It is time therefore that all, who desire to be esteem'd good men, and to procure the peace, the strength and the glory of their country by the only means, by which they can be procured effectually, should join their efforts to heal our national divisions, and to change the narrow spirit of party into a diffusive spirit of public benevolence.

THAT we may be more encouraged to do ſo, it will be of uſe perhaps to conſider, in ſome particulars, what advances are already made towards that national union, without which no national good can be expected in ſuch circumſtances as ours.

LET us begin with the preſent temper of the members of the church of England towards the diſſenters. Thoſe laws, by which the latter were debar'd from ſerving God after their own way, have not been theſe many years a terror to them. Thoſe, which were deſign'd to hinder the propagation of their principles, and thoſe, which ſhut the door of all public preferment, even to ſuch amongſt them as conform'd occaſionally, are repeal'd. Far from deſiring to impoſe any new hardſhips upon them, even thoſe, who have been reputed their enemies, and who have acted as ſuch on ſeveral occaſions, acknowledge their error. Experience hath removed prejudice. They ſee that indulgence hath done what ſeverity never could; and from the frankneſs of theſe, if I was a diſſenter, I ſhould ſooner entertain hopes of future favour, than from the double dealing of thoſe, who lean on the diſſenters, when they are out of power, and who eſteem them a load upon them, when they are in it. We are now in the true and only road, which can poſſibly lead to a perfect reconciliation among pro-

proteſtants; to the abolition of all their differences; or to terms of difference ſo little eſſential, as to deſerve none of diſtinction. Theſe happy ends muſt be obtain'd by mutual good will. They never can be obtain'd by force. It is true, indeed, that force, which is the effect of a majority and ſuperior power, may ſupport a rivalſhip and erect even counter-eſtabliſhments. But then, by the ſame means, our antient diſputes will be revived; the church will be thought really in danger; and religious feuds, which have been ſo long and ſo beneficially kept down, will once more diſturb the peace of the ſtate. It is a certain truth, that our religious and civil conteſts have mutually, and almoſt alternately, raiſed and fomented each other. Churchmen and diſſenters have ſometimes differ'd, and ſometimes thought, or been made to think, that they differ'd, at leaſt, as much about civil as religious matters. There can be therefore no way ſo effectually to compoſe their differences on the latter, as to improve the growing union between them on the former. "Idem ſentire "de republica, to think alike about political affairs," hath been eſteem'd neceſſary to conſtitute and maintain private friendſhips. It is obviouſly more eſſential in public friendſhips. Bodies of men in the ſame ſociety can never unite, unleſs they unite on this principle; and if they once unite on this principle,

principle, they will unite on all others, or they will readily and chearfully make one another eaſy about them. Let me ſpeak plainly. It becomes a man to do ſo, who means honeſtly. In our political diviſions of whig and tory, the diſſenters have adhered to the former, and they want no apology for doing ſo. They join'd themſelves to thoſe, with whom they agreed, and ſtood in oppoſition to thoſe, with whom they differ'd in principles of government. There could be no objection brought againſt them, on this account. They certainly did not follow power. They did not act like a ſect or a faction, who had, and purſued an intereſt diſtinct from the intereſt of the whole. Their non-conformity hath nothing to do here. They concur'd with conformiſts; and if they had been conformiſts themſelves, as they were diſſenters, they would have acted in the ſame manner. But if this diviſion of parties, on the ſame principles, ſubſiſts no longer; if there be in truth neither a tory, nor a whig, as I have ſaid above, but a court and a country party in being; if the political principles, which the diſſenters have formerly avow'd, are manifeſtly purſued on one ſide; and thoſe, which they have oppoſed, or others equivalent to them in their effects, are purſued on the other; can the diſſenters heſitate about the option they are to make? I am perſuaded they cannot.

I know that ſeveral amongſt them do not. What might be, and certainly would be ſaid, if they made their option to ſtand by the miniſter, I will not ſo much as ſuggeſt. What muſt be the conſequence of their ſtanding by the nation, in oppoſition to him, (for between theſe two powers the preſent conteſt lies) it is eaſy to tell, and impoſſible to deny. They will prove, in this caſe, to the whole world, that the ſpirit of liberty animates, and conſcience alone determines their conduct. They, who could never brook a regal, will have the merit of ſaving their country from the danger of a miniſterial tyranny; and their country will owe them all the acknowledgments, which are due from good and grateful citizens of the ſame commonwealth.

As to the other great and national diviſion of whig and tory; he, who recollects what hath paſs'd in parliament, and obſerves what paſſes out of it, can differ very little in his opinion from what hath been ſaid concerning it. The principle articles of your civil faith, publiſh'd ſome time ago, (or, to ſpeak more properly, the civil faith of the old whigs) are aſſented and conſented to by the country party; and I ſay, upon good authority, that if this creed was made a teſt of political orthodoxy, there would appear at this time but very few hereticks amongſt us. How different the caſe is, on the

the other ſide, will appear not only from the actions, but from the principles of the court party, as we find them avow'd in their writings; principles more dangerous to liberty, though not ſo directly, nor ſo openly levell'd againſt it, than even any of thoſe, bad as they were, which ſome of theſe men value themſelves for having formerly oppoſed.

In ſhort, the revolution is look'd upon by all ſides as a new æra; but the ſettlement then made is look'd upon by the whole country party as a new Magna Charta, from whence new intereſts, new principles of government, new meaſures of ſubmiſſion, and new obligations ariſe. From thence we muſt date both king and people. His majeſty derives his title from acts, made in conſequence of it. We likewiſe derive, not our privileges (for they were always ours) but a more full and explicit declaration, and a more ſolemn eſtabliſhment of them from the ſame period. On this foundation all the reaſonable, independent whigs and tories unite. They could unite on this alone; for the whigs have always profeſs'd the principles, which paved the way for the revolution; and whatever the tories may have profeſs'd, they acted upon the ſame principles, or they acted upon none, which would be too abſurd to aſſert, when they brought about that great event, in concert with the

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reſt of the nation, as I ſhall ſome time or other prove.

To this Magna Charta, and theſe principles, let us adhere inviolably, in oppoſition to the two extremes mention'd by me at the beginning of this letter, viz. to thoſe, who diſown them, and to thoſe, who betray them. Let neither the polemical ſkill of LESLY, nor the antique erudition of BEDFORD, perſuade us to put on again thoſe old ſhackles of falſe law, falſe reaſon, and falſe goſpel, which were forged before the revolution, and broken to pieces by it. As little let us ſuffer the arch ſlyneſs of G—ON, the dogmatical dryneſs of H———E, or the ſoucing proſtitution of SH—K to ſlip new ſhackles on us, which are inconſiſtent with the conſtituent principles of our eſtabliſhment. Let us maintain and improve the national union, ſo happily begun, and bleſs God for diſpoſing the temper of the nation almoſt univerſally to it. Such a coalition hath been long wanted in this kingdom, and never more than at this important criſis; for on this it will depend whether they, who not only oppoſe the progreſs of that growing corruption, which had well nigh overſpread the land, but endeavour to extirpate it by the roots, ſhall prevail; or they, who nouriſh and propagate it, who eat themſelves, and tempt others to eat the baneful fruit it bears. On this it will depend whether

whether they ſhall prevail, who conſtantly inſiſt againſt the continuance of a ſtanding army in time of peace, agreeably to the principles of our conſtitution, or they, who plead for it, and endeavour to make it a neceſſary part of that conſtitution, though incompatible with public liberty. On this it will depend whether they ſhall prevail, who endeavour to conceal the frauds, which are practiſed, and to ſcreen the fraudulent, at the riſque of ruining credit, and deſtroying trade, as well as to monopolize in the hands of a few the whole wealth of the nation; or they, who do their utmoſt to bring the former to light, and the latter to puniſhment at a time, when glaring fraud, or very ſtrong ſymptoms of fraud, appear in ſo many parts of public management, from ſome of the greateſt companies down to the turnpike at Hyde-park corner. On this it will depend whether they ſhall prevail, who deſire that Great Britain ſhould maintain ſuch a dignity and prudent reſerve in the broils of Europe, as become her ſituation, ſuit her intereſt, and alone can enable her to caſt the ballance; or they, who are eager, on every occaſion, to proſtitue her dignity, to pawn her purſe, and to ſacrifice her commerce, by intangling her not only too much with the other great powers of Europe, from whom ſhe may ſometimes want reciprocal

engagements

engagements, but even with thoſe diminutive powers, from whom it would be ridiculous to expect any.

I am, ſir, yours, &c.

LETTER II.

SIR,

WHILST I was writing my laſt letter to you, it came into my thoughts that nothing would illuſtrate the ſubject better, nor enforce more ſtrongly the exhortation to an union of parties, in ſupport of that conſtitution, on the terms of which alone all right to govern us, and all our obligations to obey is now founded, than an enquiry into the riſe and progreſs of our late parties; or a ſhort hiſtory of toriſm and whigiſm from their cradle to their grave; with an introductory account of their genealogy and deſcent.

YOUR papers have been from the firſt conſecrated to the information of the people of Britain; and I think they may boaſt very juſtly a merit ſingular enough; that of never ſpeaking to the paſſions, without appealing to the reaſon of mankind. It is fit they ſhould keep up this character, in the ſtricteſt manner, whilſt they are employ'd on the moſt important ſubject, and publiſh'd at the moſt

moſt important criſis. I ſhall therefore execute my deſign with ſincerity and impartiality. I ſhall certainly not flatter, and I do not mean to offend. Reaſonable men and lovers of truth, in whatever party they have been engaged, will not be offended at writings, which claim no regard but on this account, that they are founded in reaſon and truth, and ſpeak with boldneſs what reaſon and truth conſpire to dictate. As for the drummers and trumpeters of faction, who are hired to drown the voice of both in one perpetual din of clamour, and would endeavour to drown, in the ſame manner, even the dying groans of their country, if ſhe was already brought into that extreme condition; they ſhall not provoke me to break a moſt contemptuous ſilence. The ſubject is too ſolemn. They may prophane it by writing on it. Far be it from me to become guilty of the ſame crime, by anſwering them.

If the enquiry I am going to make into the riſe and progreſs of our late parties ſhould produce in any degree the good, which I intend, it will help to confirm and improve the national union, ſo happily begun, by taking off ſome remains of ſhyneſs, diſtruſt and prejudice, which may ſtill hang about men, who think alike, and who preſs on from different quarters to the ſame common point of view. It will help to unmaſk

unmaſk more effectually the wicked conduct of thoſe, who labour with all the ſkill and, which is much more conſiderable, with all the authority they poſſeſs, to keep up the diviſion of parties; that each of theſe may continne to be, in it's turn, what all of them have been too often and too long, the inſtruments and the victims of private ambition. It will do ſomething more. A few reflections on the riſe and progreſs of our diſtemper, and the riſe and progreſs of our cure, will help us of courſe to make a true judgment on our preſent ſtate, and will point out to us, better perhaps than any other method, the ſpecific remedies ſtill neceſſary to preſerve our conſtitution in health and vigour. Having premiſed this, I come to the point.

QUEEN ELIZABETH deſign'd, and the nation call'd king JAMES to the throne, tho' the whole ſcotiſh line had been excluded by the will of HENRY the eighth, made indeed under the authority of an act of parliament, and yet little regarded either by the parliament, or the people. As ſoon as he was on the throne, a flattering act of recognition paſs'd; for though all princes are flatter'd on their firſt acceſſion, yet thoſe princes are ſure to be flatter'd moſt, who deſerve panegyrick leaſt. In this act the parliament acknowledged, on the knees of their hearts, (ſuch was the cant of the age) the indubi-

table right, by which they declared that the crown descended to him immediately, on the decease of queen ELIZABETH. Of this act, and of the use, which some men, very weakly I think, endeavour'd to make of it, I shall have occasion to speak hereafter. I would only observe here that this is the æra of hereditary right, and of all those exalted notions, concerning the power and prerogative of kings, and the sacredness of their persons. All together they composed such a system of absurdity as had never been heard of in this country, till that anointed pedant broach'd them. They have been spoken of pretty much at large in your papers; particularly in some of those, publish'd under the name of OLDCASTLE. To them I refer.

To assert that the extravagant principles of ecclesiastical and civil government, which began to be propagated in this reign, and were carried still higher in the next, gave occasion to those of another kind, or of another extreme, which were taught with success, and gain'd by degrees great vogue in the nation, would be too much. Opinions very different from those, which receive the sanction of a legal establishment in church and state, had crept about obscurely, if not silently, even whilst the government of ELIZABETH lasted. But this I say; that the principles, by which king JAMES and king CHARLES the first govern'd, and the excesses of hierarchical

chical and monarchical power, exercised in consequence of them, gave great advantage to the opposite opinions, and intirely occasion'd the miseries, which follow'd. Phrenzy provoked phrenzy, and two species of madness infected the whole mass of the people. It hath cost us a century to lose our wits, and to recover them again.

IF our grievances under king CHARLES the first had been redress'd by a sober, regular, parliamentary reformation of the state; or, if the civil war happening, a new government had been establish'd on principles of the constitution, not of faction; of liberty, not of licentiousness, as there was on the abdication of king JAMES the second; we may conclude, both from reason and experience, that the absurd and slavish doctrines I have mention'd would have been exploded early. They would have been buried in the recent grave of him, who first devised them; and the memory of him and of them would have stunk together in the nostrils of mankind. But the contrary fell out. The state was subverted, instead of being reform'd; and all the fury of faction and enthusiasm was employ'd to destroy the constitution to the very foundation. A natural consequence follow'd. If the principles of king JAMES's and king CHARLES's reigns had been disgraced by better, they would not have risen again; but they were only kept down for a time by

worſe; and therefore they roſe again at the reſtoration, and revived with the monarchy. Thus that epidemical taint, with which king JAMES infected the minds of men, continued upon us; and it is ſcarce hyperbolical to ſay, that this prince hath been the original cauſe of a ſeries of misfortunes to this nation, as deplorable as a laſting infection of our air, of our water, or our earth, would have been. The ſpirit of his reign was maintain'd in that of his ſon, (for how could it well be otherwiſe, when the ſame miniſters were continued in power?) and the events of both produced the civil war. The civil war ended in the death of the king, and the exile of his family. The exile of theſe princes reconciled them to the religion of Rome, and to the politics of foreign nations, in ſuch degrees as their different characters admitted. CHARLES ſipp'd a little of the poiſonous draught, but enough however to infect his whole conduct. As for JAMES,

" ——ille impiger hauſit;
" Spumantem pateram."

he drank the chalice off to the loweſt and fouleſt dregs.

THAT principles as abſurd as theſe in their nature, and as terrible in their conſequences, ſuch as would ſhock the common

ſenſe

ſenſe of a SAMOJEDE, or an HOTTENTOT, and had juſt before deluged the nation in blood, ſhould come into vogue again at the reſtoration, will not appear ſtrange to thoſe, who carry themſelves back as it were to that point of time. The wounds of the civil war were bleeding, and the reſentments of the cavaliers, who came into power at court and in parliament, were at their height. No wonder then if few men had, in ſuch a ferment as this, penetration enough to diſcern, or candour enough to acknowledge, or courage enough to maintain, that the principles we ſpeak of were truly and primarily the cauſe of all their misfortunes. The events, which proved them ſo, were recent; but for that very reaſon, becauſe they were recent, it was natural for men, in ſuch a circumſtance as this, to make wrong judgments about them. It was natural for the royal party to aſcribe all their and their country's misfortunes, without any due diſtinction, to the principles, on which king CHARLES and even king JAMES had been oppoſed; and to grow more zealous for thoſe, on which the governments of theſe two princes had been defended, and for which they had ſuffer'd. Add to this the national tranſport, on ſo great a revolution; the exceſs of joy, which many felt, and many feign'd; the adulation employ'd by many to acquire new merit, and by many to atone for paſt demerit; and you will find reaſon to be ſurpriſed,

not that the ſame principles of government, as had threaten'd our liberties once, and muſt by neceſſary conſequence do ſo again, were eſtabliſh'd; but that our liberties were not immediately, and at once given up. That they were ſaved, we owe, not to parliament, no not to the convention parliament, who brought the king home; but to thoſe great and good men, CLARENDON and SOUTHAMPTON. Far from taking advantage of the heat and fervor of the times, to manage parliaments into ſcandalous Jobs, and fatal compliances with the crown; to their immortal honour, (with gratitude and reverence to their memories be it ſpoken) they broke the army, ſtinted the revenue, and threw their maſter on the affections of his people. But I return.

BESIDES theſe reaſons, drawn from the paſſions of men, others of a more ſober kind may be given, to account for the making a ſettlement at the reſtoration upon principles too near a-kin to thoſe, which had prevail'd before the war, and which had in truth cauſed it. Certain it is, that although the non-conformiſts were ſtun'd by the blow they had juſt received, and though their violence was reſtrain'd by the force of the preſent conjuncture; yet they ſtill exiſted. Symptoms of this appear'd, even whilſt the government was ſettling and continued to appear long after it was ſettled. Now, every

ry ſymptom of this kind renew'd the dread of relapſing into thoſe miſeries, from which the nation had ſo lately recover'd itſelf; and this dread had the natural effect of all extreme fears. It hurried men into every principle, as well as meaſure, which ſeem'd the moſt oppoſite to thoſe of the perſons fear'd, and the moſt likely, though at any other riſque, to defeat their deſigns, and to obviate the preſent danger, real or imaginary. May we not fairly conjecture, for it is but conjecture, ſomething more? In ſuch a temper of mind, and ſuch a ſituation of circumſtances, might not even thoſe, who ſaw how groundleſs and dangerous ſuch extravagant notions about the right, power and prerogative of kings were, imagine however that it was a part of prudence to give way to them, and to countenance them, in the preſent conjuncture; to ſuffer the opinions of the nation to be bent too far on one ſide, as they had been bent too far on the other; not that they might remain crooked, but that they might become ſtrait?

THE ſame ſpirit and much the ſame reaſons as determined our ſettlement, at the reſtoration, upon ſuch high principles of monarchy, prevail'd relatively to our religious differences, and the ſettlement of the church. I ſhall ſpeak of it with that freedom, which a man may take, who is conſcious that he means nothing but the public good

good, hath no bye-ends, nor is under the influence of ſerving any particular cauſe.

I SAY then very frankly that the church and the king having been join'd in all the late conteſts both by thoſe, who attack'd them, and thoſe, who defended them, eccleſiaſtical intereſts, reſentments, and animoſities came in to the aid of ſecular, in making the new ſettlement. Great lenity was ſhewn at the reſtoration, in looking backwards; unexampled and unimitated mercy to particular men, which deſerved no doubt much applauſe. This conduct would have gone far towards reſtoring the nation to its primitive temper and integrity, to its old good manners, its old good humour, and its old good nature, (expreſſions of my lord chancellor CLARENDON, which I could never read without being moved and ſoften'd) if great ſeverity had not been exerciſed, immediately after, in looking forwards, and great rigour uſed to large bodies of men, which certainly deſerves cenſure, as neither juſt, nor politic. I ſay, not juſt; becauſe there is, after all, a real and wide difference between moral and party juſtice. The one is founded in reaſon; the other takes its colour from the paſſions of men, and is but another name for injuſtice. Moral juſtice carries puniſhment as far as reparation and neceſſary terror require; no farther. Party juſtice carries it to the full extent of our power,

power, and even to the gorging and ſating of our revenge; from whence it follows that injuſtice and violence, once begun, muſt become perpetual in the ſucceſſive revolutions of parties, as long as theſe parties exiſt. I ſay, not politic; becauſe it contradicted the other meaſures, taken for quieting the minds of men. It alarm'd all the ſects anew; confirm'd the implacability, and whetted the rancour of ſome; diſappointed and damp'd a ſpirit of reconciliation in others; united them in a common hatred to the church; and rouzed in the church a ſpirit of intolerance and perſecution. This meaſure was the more imprudent, becauſe the opportunity ſeem'd fair to take advantage of the reſentments of the preſbyterians againſt the other ſectaries, and to draw them, without perſecuting the others, by the cords of love into the pale of the church, inſtead of driving them back by ſevere uſage into their antient confederacies. But when reſentments of the ſort we now mention were let looſe, to aggravate thoſe of the other ſort, there was no room to be ſurprized at the violences, which follow'd; and they, who had acted greater, could not complain of theſe, great as they were, with any very good grace.

IF we may believe * one, who certainly was not partial againſt theſe ſects, both preſbyterians and independents had carried the principles of rigour, in the point of conſcience, much higher, and acted more implacably upon it, than ever the church of England hath done, in its angrieſt fits. The ſecuring themſelves therefore againſt thoſe, who had ruin'd them and the conſtitution once already, was a plauſible reaſon for the church party to give, and I doubt not the true and ſole motive of many for exerciſing, and perſiſting in the exerciſe of great ſeverity. General, prudential arguments might, and there is reaſon to believe they did, weigh with particular men; but they could have little force, at ſuch a time, on numbers. As little could ſome other conſiderations have then, whatever they have now. The promiſes at Breda, for inſtance, and the terms of the declaration ſent from thence could not be urged with force to a parliament, who had no mind, and was ſtrictly under no obligation, to make good ſuch promiſes as the king had made, beyond his power of promiſing, if taken abſolutely; or from which, if taken conditionally, he was diſcharged, on the refuſal of parlia-

* Dr. BURNET, afterwards biſhop of Saliſbury, in one of his tracts.

ment

ment to confirm them. Thus again, the merit pleaded by the preſbyterians, on account of the ſhare they had in the reſtoration, which was very real and very conſiderable, could avail however but little. That they went along with the national torrent, in reſtoring the conſtitution of church and ſtate, could not be denied. But then it was remember'd too that theſe fruits of repentance came late; not till they had been oppreſs'd by another ſect, who turn'd upon them, wreſted the power out of their hands, and made them feel, what they had made others feel, the tyranny of a party.

SUCH reaſons and motives, as I have mention'd, prevail'd; and worſe than theſe would have been ſufficient, when the paſſions of men ran ſo high, to lay the diſſenters, without any diſtinction, under extreme hardſhips. They ſeem'd to be the principal object of the fears and jealouſies of parliament. Addreſſes were continually made, and the edge of the law continually whetted againſt them, from 1660 to 1669, when the law for ſuppreſſing conventicles, and the laſt of theſe penal ſtatutes paſs'd, as I remember. Experience will juſtify me, for ſaying that this long and extreme rigour was unwiſe, as well as unjuſt. It appears, indeed, from the memorials of thoſe times, that they, who ſuffer'd, had given abundant provocation, though not ſufficient excuſe, to the

the rigour, under which they ſuffer'd. Some former hardſhips, which the diſſenters had endured from the church, made them more violent againſt it, when they got poſſeſſion of an uſurp'd power. Juſt ſo the violence, which they exerciſed at that time, ſtimulated the ſeverity they felt in their turn, when the legal conſtitution of the church was reſtored. Notwithſtanding all which, I incline, upon very good reaſons, to think that this ſeverity was not in the firſt deſign of the miniſters, nor would have been ſhewn, if another fatal influence had not prevail'd. The influence I mean is that of popery. It prevail'd from the firſt moments to the laſt of the reign of king CHARLES the ſecond. The beſt miniſters were frequently driven off their byaſs by it. The worſt had a ſure hold on their maſter, by complying with it. On the occaſion now mention'd, this influence and the artifice of the popiſh faction work'd very fatally on the paſſions of parties, and the private intereſts of individuals; and the miniſters, and the church, and the diſſenters, were bubbles alike of their common enemy. Barefaced popery could aſk no favour, becauſe popery could expect none. Proteſtant diſſenters were therefore to ſerve as ſtalking horſes, that papiſts might creep behind them, and have hopes of being, ſome time or other, admitted with them. The church party was halloo'd

halloo'd on the diſſenters; whilſt the diſſenters were encouraged to unite and hold out; whilſt they were flatter'd with an high opinion of their own ſtrength, and the king's favour; and whilſt ſome leading men amongſt them, who thought it better to be at the head of a ſect, than at the tail of an eſtabliſhment, were perhaps encouraged, and confirm'd in that thought, by the private application of the court.

THESE arts, theſe wicked arts (for ſuch they were) prevail'd; and though the 2000 miniſters, who went out of their churches on one day, were far from being all of the ſame mind, or having one poſitive, conſiſtent ſcheme; though many of them muſt have loſt their benefices, even if they had comply'd with the act of uniformity, becauſe they were intruders, and in actual poſſeſſion of benefices legally belonging to others; yet, by uniting in the point of non-conformity, they appear'd as one body, and in ſome ſenſe they were ſo. Several of them were popular for certain modes of devotion, ſuited to the humour of the time; and ſeveral were men eminent for true learning and unaffected piety. They increaſed the zeal of their flocks, and created compaſſion in others. Here the court began to reap the fruits of their management, in the ſtruggle for a toleration. I uſe the word, though I know it may be ſimply cavill'd at. The firſt ſtep made

made was an application to the king, who declared himſelf ready and willing to diſpenſe, in their favour, with ſeveral things in the act of uniformity; and thus the diſſenters were made, by the ſeverity of the parliament and the intrigues of the court, the inſtruments of introducing a diſpenſing power. Such attempts were made more than once: but happily fail'd, as often as made, through the vigorous oppoſition of parliament; till at laſt the ſcene began to open more, and the diſſenters to ſee that they were made the tools of promoting, what they never intended, the advancement of the prerogative above law, and the toleration of popery againſt it.

To conclude. By ſuch means, as I have deſcribed, the conſtitution of parties after the reſtoration preſerved unhappily too near a reſemblance to the conſtitution of parties, before the war. The prerogative was not, indeed, carried ſo high, in ſome inſtances, as JAMES and CHARLES the firſt had attempted to carry it. Nay, ſome ſupports of it were brought off, and taken away; and others more dangerous, as we have obſerved, were prevented by the virtue of the men at that time in power. But ſtill the government was eſtabliſh'd on principles, ſufficient to invite a king to exerciſe arbitrary power, and ſupport him by their conſequences in the exerciſe of it afterwards; ſo that, in this

this reſpect, the ſeeds of future diviſions were ſow'd abundantly. The diſſenters had, indeed, loſt much of their credit and all their power. But ſtill they had numbers, and property, and induſtry, and compaſſion for them; ſo that here was another crop of diſſentions planted to nurſe up, and to ſtrengthen the other. They did not inflame the conteſt, which follow'd, into a civil war, as they had help'd to do formerly; but I think that, without them, and the diſunion and hatred among proteſtants, conſequent upon them, the zeal againſt popery could not have run into a kind of factious fury, as we ſhall be obliged to confeſs it did. I think that fears of falling once more under preſbyterian, or republican power, could not have been wrought up in the manner they were, towards the end of this reign, ſo as to drown even the fear of popery itſelf; ſo as to form a party, in favour of a popiſh ſucceſſor; ſo as to tranſport both clergy and laiety into an avowal of principles, which muſt have reduced us to be at this time ſlaves, not freemen, papiſts, not proteſtants, if the very men, who had avow'd ſuch principles, had not ſaved themſelves and us, in direct oppoſition to them. But I am running into the ſubject of another letter, when this is grown too prolix already.

I am, ſir, yours, &c.

LETTER

LETTER III.

SIR,

THE ſum of what hath been ſaid, concerning the ſettlement of church and ſtate, and the diviſion of parties, at the reſtoration, amounts to this; that as the attempts of king JAMES and king CHARLES the firſt, againſt the ſpirit of the conſtitution, threw the nation into a civil war, and all the miſerable conſequences, both neceſſary, and contingent, of that calamity; ſo the fury, enthuſiaſm and madneſs of thoſe factions, which aroſe during that unnatural ferment, frighten'd the nation back, if not into all, yet more generally perhaps than before, into moſt of the notions, that were eſtabliſh'd to juſtify the exceſſes of former reigns. Hereditary, indefizeable right, paſſive obedience, and non-reſiſtance (thoſe corner-ſtones, which are an improper foundation for any ſuperſtructure but that of tyranny) were made, even by parliament, the foundation of the monarchy; and all thoſe, who declined an exact and ſtrict conformity to the whole eſtabliſhment of the church, even to the moſt minute parts of it, were deprived of the protection, nay expoſed to the proſecution of the ſtate. Thus one part of the nation ſtood proſcribed by the other;

other; the leaſt, indeed, by the greateſt; whereas a little before the greateſt ſtood proſcribed by the leaſt. Roundhead and cavalier were, in effect, no more. Whig and tory were not yet in being. The only two apparent parties were thoſe of churchmen and diſſenters; and religious differences alone, at this time, maintain'd the diſtinction.

SUCH was the ſtate of party, upon the meeting of the firſt parliament call'd by king CHARLES the ſecond, and for ſome years afterwards, as nearly as I have been able to obſerve by what I have read in hiſtory, and received from tradition. How the notions then in vogue began to change, and this ſpirit to decline, ſome time after the reſtoration; how the zeal of churchmen and diſſenters againſt one another began to ſoften, and a court and country party to form themſelves; how faction mingled itſelf again in the conteſt, and renew'd the former reſentments and jealouſies; how whig and tory aroſe, the furious off-ſpring of the inauſpicious parents roundhead and cavalier; how the proceedings of one party might have thrown us back into a civil war, confuſion and anarchy; how the ſucceſs of the other had like to have entail'd tyranny on the ſtate, and popery in the church; how the revolution did, and could alone, deliver us from the grievances we felt, and from the dangers

we fear'd; how this great event was brought about by a formal departure of each ſide from the principles objected to them by the other; how this renewal of our conſtitution, on the principles of liberty, by the moſt ſolemn, deliberate, national act, that ever was made, did not only bind at leaſt every one of thoſe, who concur'd in any degree to bring it about; (and that deſcription includes almoſt the whole nation) but how abſurd it is for any man, who was born ſince that æra, or who, being born before it, hath been bound by no particular, legal tye to any other ſettlement, to be willing to give up the advantages of the preſent conſtitution, any more than he would give up the privileges of the great charter, which was made and ratified ſo many ages ago; all theſe points are to be now touch'd in that ſummary manner, which I have preſcribed to myſelf, and which will be ſufficient, in ſo plain a caſe, where men are to be reminded of what they know already, rather than to be inform'd, and to be confirm'd, not to be convinced.

I proceed therefore to obſerve that the nation began to be indiſpoſed to the court, ſoon after the reſtoration. The ſale of Dunkirk help'd to ruin a great and good miniſter, though it be ſtill doubtful at leaſt, notwithſtanding the clamour raiſed, and the negotiations with D'eſtrades ſo much inſiſted upon, whether

whether he was ſtrictly anſwerable for this meaſure. Who knows how ſoon the re-eſtabliſhment of the ſame port and harbour may be laid in form to the charge of thoſe two men, who are ſtrictly and undeniably anſwerable for it, and who ſtagger already under the weight of ſo many other juſt imputations?

THE firſt dutch war, which was lightly and raſhly undertaken, and which ended ignominiouſly for the nation, augmented the public indiſpoſition. Nay misfortunes, ſuch as the plague and the burning of London, as well as miſmanagement, had this effect. But we muſt place at the head of all a jealouſy of popery, which was well founded, and therefore gather'd ſtrength daily. This ſoon heated the minds of men to ſuch a degree, that it ſeems almoſt wonderful the plague was not imputed to the papiſts, as peremptorily as the fire.

THE death of my lord SOUTHAMPTON, and the diſgrace and baniſhment of my lord CLARENDON, made room for new cauſes of jealouſy and diſſatisfaction; and the effects increaſed in proportion. Theſe two noble lords had ſtood in the breach againſt popery and foreign politics; and what one of them ſaid of the other, that is SOUTHAMPTON of CLARENDON, may be apply'd with juſtice to both. They were true proteſtants, and honeſt engliſhmen. Whilſt they were in place,

our laws, our religion, and our liberties were in ſafety. When they were removed, England felt the ill effect of the change; for when they were removed, all theſe were in danger. How glorious a panegyric is this, in which the unanimous voice of poſterity does and muſt agree! It is preferable ſurely to all the titles and honours and eſtates, which thoſe illuſtrious patriots left behind them; and ſo I perſuade myſelf it is eſteem'd by the young noblemen, who are heirs to their virtues, as well as their fortunes.

KING CHARLES, and more than him the duke and the popiſh faction were now at liberty to form new ſchemes; or rather to purſue old ones, with leſs reſerve, againſt the religion and liberty of England. As ſoon as the famous cabal had the whole adminiſtration of affairs, theſe deſigns were puſh'd almoſt without any reſerve at all. I am not writing the hiſtory of this reign; nor have I undertaken any thing more than to make a few obſervations on the ſeveral turns of parties in it. I need not therefore deſcend into particular proofs of the deſigns, which I attribute to the court; nor into a deduction of the meaſures taken to promote them, and the efforts made to defeat them. That theſe deſigns were real, can be doubted of by no man; ſince without quoting many printed accounts, which are in the hands of every one, or inſiſting on other proofs, which

which have not ſeen the light, (and ſuch there are) the abbot PRIMI's relations of the ſecret negotiations between the king and his ſiſter, the ducheſs of Orleans, publiſh'd in 1682, as I think, and immediately ſuppreſs'd, as well as the hiſtory of the jeſuit D'ORLEANS, written on memorials furniſh'd to him by king JAMES the ſecond, put the whole matter out of diſpute, and even beyond the reach of cavil. It is ſufficient for my purpoſe to obſerve that the tide of party, which had run ſo ſtrongly for the court, and had been ſeldom ſo much as ſlacken'd hitherto, began now to turn, and to run year after year more ſtrongly the other way.

WHEN this parliament ſat down, (for it deſerves our particular obſervation that both houſes were full of zeal for the preſent government, and of reſentment againſt the late uſurpations) there was but one party in parliament; and no other party could raiſe its head in the nation. This might have been the caſe much longer, probably as long as king CHARLES had ſet on the throne, if the court had been a little honeſter, or a little wiſer. No parliament ever did more to gain their prince than this. They ſeem'd, for ſeveral years, to have nothing ſo much at heart as ſecuring his government, advancing his prerogative, and filling his coffers. The grants they made him were ſuch as paſs'd for inſtances of profuſion in thoſe days,

when 1,200,000l. a year for the civil liſt, the fleet, the guards and garriſons, and all the ordinary expences of the government, was thought an exorbitant ſum; how little a figure ſoever it would make in our times, when two thirds of that ſum, at leaſt, are appropriated to the uſe of the civil liſt ſingly. But all this was to no purpoſe, a foreign intereſt prevail'd; a cabal govern'd; and ſometimes the cabal, and ſometimes a prime-miniſter had more credit with the king, than the whole body of his people. When the parliament ſaw that they could not gain him over to his own, and to their common intereſt; nor prevail on him, by connivance, compliance, and other gentle methods; they turn'd themſelves to ſuch as were rough, but agreeable to law and the cuſtom of parliament, as well as proportionable to the greatneſs of the exigency. That they loſt their temper, on ſome particular occaſions, muſt not be denied. They were men, and therefore frail; but their frailties, of this kind, proceeded from their love of their country. They were tranſported, when they found that their religion and liberty were conſtantly in danger from the intrigues of a popiſh faction; and they would have been ſo tranſported, no doubt, if liberty alone had been attack'd by a proteſtant faction. Then it was, that this high-church parliament grew favourable to proteſtant diſſenters,

diſſenters, and ready to make that juſt diſtinction, ſo long delay'd, between them and popiſh recuſants, that the whole proteſtant intereſt might unite in the common cauſe. Then it was, that this prerogative parliament defied prorogative, in defence of their own privileges, and of the liberties of their country. Then it was, that this paſſive-obedience and non-reſiſtance parliament went the utmoſt lengths of reſiſtance, in a parliamentary way; and the neceſſary conſequence of the ſteps they made, in this way, muſt have been reſiſtance in another, if the king had not dropt his miniſters, retracted his pretenſions, redreſs'd ſome and given expectation of redreſſing other grievances. In fine, this penſioner-parliament, as it hath been ſtyled, with ſome corruption in the houſe, and an army ſometimes at the door of it, diſbanded the army in England, and proteſted againſt the militia, ſettled in Scotland by act of parliament, and appointed to march for any ſervice, wherein the king's honour, authority and greatneſs were concern'd, in obedience to the orders of the privy-council. That I may not multiply particular inſtances, they not only did their utmoſt to ſecure their country againſt immediate danger, but projected to ſecure it againſt remote danger, by an excluſion of the duke of YORK from the crown, after they had endeavour'd ſtrenuouſly,

nuouſly, but in vain, to prevent his entailing popery more eaſily upon us by his marriage with a popiſh princeſs; for he had declared himſelf a papiſt with as much affection, as if he expected to grow popular by it; had already begun to approve his zeal, and exerciſe his talent in converſions, by that of his firſt wife; and was notoriouſly the agent of Rome and France, in order to ſeduce his brother into ſtronger meaſures than king CHARLES was willing to take. King CHARLES, to uſe an expreſſion of the lord HALIFAX of that age, would trot; but his brother would gallop.

WHEN I reflect on the particulars here mention'd, and a great many others, which might be mention'd to the honour of this parliament, I cannot hear it call'd the penſioner-parliament, as it were by way of eminence, without a degree of honeſt indignation; eſpecially in the age, in which we live, and by ſome of thoſe, who affect the moſt to beſtow upon it this ignominious appellation. Penſions indeed, to the amount of ſeven or eight thouſand pounds, as I remember, were diſcover'd to have been given to ſome members of the houſe of commons. But then let it be remember'd likewiſe, that this expedient of corrupting parliaments began under the adminiſtration of that boiſterous, over-bearing, dangerous miniſter, CLIFFORD. As long as there remain'd

main'd any pretence to ſay that the court was in the intereſt of the people, the expedient of bribery was neither wanted, nor practiſed. When the court was evidently in another intereſt, the neceſſity and the practice of bribing the repreſentatives of the people commenced. Should a parliament of Britain act in compliance with the court, againſt the ſenſe and intereſt of the nation, mankind would be ready to pronounce very juſtly that ſuch a parliament was under the corrupt influence of the court. But in the caſe now before us, we have a very comfortable example of a court wicked enough to ſtand in need of corruption, and to employ it; and of a parliament virtuous enough to reſiſt the force of this expedient; which PHILIP of Macedon boaſted that he employ'd to invade the liberties of other countries; and which had been ſo often employ'd by men of leſs genius as well as rank, to invade the liberties of their own. All, that corruption could do in this parliament, was to maintain the appearance of a court-party, whilſt the meaſures of the court united a country-party, in oppoſition to them. Neither places, nor penſions could hinder courtiers in this parliament from voting, on many ſignal occaſions, againſt the court; nor protect either thoſe, who drew the king into ill meaſures, nor thoſe, who comply'd with him in them. Nay, this penſioner-

parliament,

parliament, if it muſt be ſtill call'd ſo, gave one proof of independency, beſides that of contriving a teſt, in 1675, to purge their members on oath from all ſuſpicion of corrupt influence, which ought to wipe off this ſtain from the moſt corrupt. They drove one of their pay-maſters out of the court, and impeach'd the other, in the fulneſs of his power; even at a time, when the king was ſo weak as to make, or ſo unhappy as to be forced to make, on account of penſions privately negotiated from France, the cauſe of the crown and the cauſe of the miniſter one, and to blend their intereſts together.

WHAT I have ſaid to the honour of the long parliament is juſt; becauſe in fact the proceedings of that parliament were agreeable to the repreſentation I have given of them. But now, if ſome ſevere cenſor ſhould appear, and inſiſt that the dame was chaſte, only becauſe ſhe was not enough tempted; that more penſions would have made more penſioners; that much money and little prerogative is more dangerous to liberty than much prerogative and little money; and that the worſt and weakeſt miniſter king CHARLES ever had might have been abſolute in this very parliament, whoſe character I defend, if ſuch a miniſter had been able to inliſt, with places, penſions and occaſional bribes, not a ſlender majority, which the

the defection of a few might at any time defeat, but ſuch a bulky majority, as might impoſe on itſelf; if any one, I ſay, ſhould refine in this manner, and continue to inſiſt that ſuch a miniſter, with ſuch a purſe, would have ſtood his ground, in the parliament I ſpeak of, with how much contempt and indignation ſoever he might have been every where treated by the people; I ſhall not preſume to aſſert the contrary. It might have been ſo. Our ſafety was owing as much, perhaps, to the poverty of the court, as to the virtue of the parliament. We might have loſt our liberties. But then I would obſerve, before I conclude, that if this be true, the preſervation of our religion and liberty, at that time, was owing to theſe two circumſtances; firſt that king CHARLES was not ſo parſimonious, but ſquander'd on his pleaſures what he might have employ'd to corrupt this parliament; ſecondly, that the miniſters, in that reign, fingering no money but the revenue, ordinary and extraordinary, had no opportunity to filch in the pockets of every private man, and to bribe the bubbles very often with their own money; as might be done now, when funding hath been ſo long in faſhion, and the greateſt miniſter hath the means of being the greateſt ſtockjobber, did not the eminent integrity of the miniſter,

and

and the approved virtue of the age, ſecure us from any ſuch danger.

WE have now brought the deduction of parties very near to the æra of whig and tory; into which the court found means to divide the nation, and by this diviſion to acquire in the nation a ſuperiority, which had been attempted ineffectually, even by corruption in parliament. But this I reſerve for another letter, and am,

ſir, yours, &c.

LETTER IV.

SIR,

THERE is a paſſage in TULLY ſo extremely applicable to the miſchievous, but tranſitory prevalence of thoſe principles of government, which king JAMES the firſt imported into this country, that ſince it occurs to my memory, I cannot begin this letter better than by quoting it to you, and making a ſhort commentary on it, * "opinionum commenta delet dies, naturæ judicia confirmat. Groundleſs opinions are deſtroy'd, but rational judgments, or the judgments of nature, are confirm'd by time." It is BALBUS, who makes this obſervation very

* Lib. 2. De nat. deorum.

very properly, when he is about to prove the exiſtence of a ſupreme being. The ſame obſervation might have been employ'd as properly, on other occaſions, againſt BALBUS himſelf; and the truth of it might have been exemplified, by comparing the paradoxes and ſuperſtitious opinions of his own ſect, as well as the tales of an hippocentaur, or a chimæra, with the eternal truths of genuine theiſm, and ſound philoſophy. In ſhort, the application of it might have been juſtly made then, and may be ſo now in numberleſs inſtances, taken from the moſt important ſubjects, on which the thoughts of men are exerciſed, or in which their intereſt, as men and members of ſociety, are concern'd.

THE authority of a ſect, and much more of a ſtate, is able to inſpire, and habit to confirm the moſt abſurd opinions. Paſſion, or intereſt, can create zeal. But nothing can give ſtability and durable uniformity to error. Indolence, or ignorance, may keep it floating, as it were, on the ſurface of the mind, and ſometimes hinder truth from penetrating; or force may maintain it in poſſeſſion, when the mind aſſents to it no longer. But ſuch opinions, like human bodies, tend to their diſſolution from their birth. They will be ſoon rejected in theory, where men can think, and in practice, where men can act with freedom. They maintain

maintain themſelves no longer, than the ſame means of ſeduction, which firſt introduced them, or the ſame circumſtances, which firſt impoſed them, attend and continue to ſupport them. Men are drag'd into them, and held down in them, by chains of circumſtances. Break but theſe chains, and the mind returns with a kind of intellectual elaſticity to its proper object, truth. This natural motion is ſo ſtrong, that examples might be cited of men, embracing truth in practice, before they were convinced of it in theory. There are caſes, where reaſon, freed from conſtraint, or rouſed by neceſſity, acts in ſome ſort the part of inſtinct. We are impel'd by one, before we have time to form an opinion. We are often determined by the other againſt our opinion; that is, before we can be ſaid properly to have changed it. But obſerve here the perverſeneſs of that rational creature, man. When this happens; when the Judgment of nature, for ſo we may ſpeak after TULLY, hath prevail'd againſt the habitual prejudice of opinion; inſtead of acknowledging the victorious truth, which determined him to act; inſtead of condemning the erroneous opinion, againſt which he acted, he is too often apt to endeavour, peeviſhly and pedantically, to reconcile his actions to his error; nay, to perſiſt in renouncing true, and aſſerting falſe maxims, whilſt

whilſt he reaps the benefit, and maintains the conſequences of the former.

YOU ſee whither we are brought by theſe general reflections. The abſurd opinions, (fictæ & vanæ, our roman orator would have call'd them) about the right, power, and prerogative of kings, were ſo little able to take a deep root, and to ſtand the blaſts of oppoſition, that few of thoſe, who drew their ſwords on the ſide of king CHARLES the firſt, were determined to it by them. I aſſert this fact on co-temporary authority; on the authority even of ſome, who were themſelves engaged in that cauſe, from the beginning to the end of our civil wars. A more recent tradition aſſures us, that when the ſame opinions revived at the reſtoration, they did not ſink deep even then into the minds of men; but floated ſo ſuperficially there, that the parliament, (the very parliament, who had authorized them, and impoſed them, as I obſerved in the laſt letter) proceeded a great way, and was ready to have proceeded farther, in direct oppoſition to them. A tradition ſtill more recent will inform us, and that is to be the ſubject of this letter, that when theſe opinions revived again, at the latter end of the ſame reign, with an appearance of greater ſtrength, and of a more national concurrence than ever, they revived but to be exploded more effectually than ever. King CHARLES made

uſe

uſe of them to check the ferment raiſed againſt his government; but did not ſeem to expect that they would ſubſiſt long in force. His wiſer brother depended much on them; but his dependence was vain. They were, at that time, wearing out apace; and they wore out the faſter by the extravagant uſe, which was made of them. They were in the mouths of many, but in the hearts of few; for almoſt all thoſe, who had them in their mouths, acted againſt them. Thus were theſe wicked and ridiculous principles of government twice revived, and twice deſtroy'd again, in leſs than thirty years from the reſtoration.

" Ter ſi reſurgat murus aheneus,
" ——ter pereat!"

THE ſecond revival of theſe principles, for enough hath been ſaid of the firſt, happen'd ſoon after the diſſolution of the long parliament; and there, I think, we muſt place the birth of whig and tory, though theſe parties did not grow up into full maturity, nor receive their names, till about two years afterwards. The diſſolution of this parliament was deſired by men of very different complexions; by ſome, with factious views; by others, on this honeſt and true maxim, that a ſtanding parliament, or the ſame parliament long continued, changes the very nature of the conſtitution in the

the fundamental article, on which the preſervation of our whole liberty depends. But whatever motives others might have to deſire this diſſolution, the motives, which prevail'd on the king, were probably theſe. This parliament not only grew more reſerved in their grants of money, and ſtiff and inflexible in other matters, but ſeem'd to have loſt that perſonal regard, which they had hitherto preſerved for him. They brought their attacks home to his family; nay, to himſelf, in the heats, which the diſcovery and proſecution of the popiſh plot occaſion'd. That on the queen provoked him. That on his brother embarraſs'd him. But that, which provoked and embarraſs'd him both, was the proſecution of the earl of DANBY in the manner, in which it was carried on. I will not deſcend into the particulars of an affair, at this time ſo well underſtood. This miniſter was turn'd out, and might have been puniſh'd, in another manner, and much more ſeverely than I preſume any one, who knows the anecdotes of that age, thinks that he deſerved to be. But the intention of this attack, according to RAPIN, was to ſhew that the king, as well as his brother, was at the head of a conſpiracy to deſtroy the government, and the proteſtant religion. This is a very bold aſſertion, and ſuch a one as I do not pretend to warrant. But thus much is certain;

that if the earl of DANBY's impeachment had been tried, he must have justified himself by shewing, what every one knew to be true, that the secret negotiations with France, and particularly that for money, were the king's negotiations, not his.

Now, whether the king hoped, by dissolving the parliament, to stop this prosecution; or to soften that of the popish plot; or to defeat the project of excluding the duke of YORK; his hopes were all disappointed. The following parliaments trod in the steps of this. How, indeed, could they do otherwise in those days, when the temper of the people determined the character of the parliament; when an influence on elections, by prerogative, was long since over, and private, indirect means of gaining another more illegal influence were not yet found, or the necessary supports of such means were not yet acquired; when any man, who had desired people, who knew neither his fortune, his character, nor even his person, to chuse him their representative in parliament, (that is, to appoint him their trustee) would have been look'd upon and treated as a madman; in short, when a parliament, acting against the declared sense of the nation, would have appear'd as surprising a phænomenon in the moral world, as a retrogade motion of the sun, or any other signal deviation of things from their ordinary course, in the natural world? THERE

THERE was indeed one point, which this parliament had taken extremely to heart, and which was no longer open to the parliaments, that follow'd, I mean the conduct of the king in foreign affairs, during the war between France, and Holland, and her allies, which ended by the treaty of Nimighen. That war was not made in remote countries. It was made at our door. The motives to it, on the part of the aggreſſor, were neither injuries received, nor rights invaded; but a ſpirit of conqueſt, and bare-faced uſurpation. The intereſt we had in it was not ſuch as depended on a long chain of contingencies, and required much ſubtlety to find out, but plain and immediate. The ſecurity and, at one time, the very exiſtence of the Dutch commonwealth depended on the event of it. No wonder then, if the conduct of the king, who join'd openly with France at firſt, and ſerved her privately to better purpoſe at laſt, furniſh'd ample matter to the public diſcontent, and help'd to increaſe the ill humours of ſucceeding parliaments on two other points, which were ſtill open, and continued to draw their whole attention as long as king CHARLES ſuffer'd any to ſit, during the reſt of his reign.

THESE two points were the proſecution of perſons involved in the popiſh plot, and the

excluſion of the duke of YORK. The firſt of theſe had prepared mankind for the ſecond. The truth is, that if nothing, which affected the duke, had been produced, beſides COLEMAN's letters, theſe proofs of his endeavours to ſubvert the religion and liberty of the people he pretended to govern, join'd to ſo many others of public notoriety, which ſhew'd the whole bent of his ſoul, and the whole ſcheme of his policy, would have afforded reaſon more than ſufficient for ſacrificing the intereſt, or even the right (if you will call it ſo) of one man to the preſervation of three kingdoms. I know how partial we are in the judgments we make, concerning ourſelves, and our own intereſts. I know that this partiality is the immediate effect of ſelf-love, the ſtrongeſt ſpring in the human, nay in the whole animal ſyſtem; and yet I cannot help being ſurprized that a man ſhould expect to be truſted with a crown, becauſe he is born a prince, in a country where he could not be truſted by law and ought not to be truſted in reaſon, with a conſtable's ſtaff, if he was born a private perſon. Let me add, that ſuch an expectation muſt be deem'd more unreaſonable in a deſcendant of HENRY the fourth of France, if poſſible, than in any other man. The hereditary title of the houſe of Bourbon, on the extinction of that of Valois, was certainly as clear, and much better eſtabliſh'd by the laws and uſages

uſages of France, than the hereditary right of any prince of the houſe of STUART to the crown of England; and yet HENRY the fourth, with all the perſonal qualifications, which could recommend a prince to the eſteem and love of his ſubjects, would never have been received into the throne by the French nation, if he had not been of the religion of that nation. On what foundation then could it be expected that a proteſtant and a free people ſhould be leſs animated by religion and liberty both, than their neighbours had been by religion alone; for liberty had nothing to do in that conteſt? Our fathers were thus animated, at the time I am ſpeaking of. The long parliament projected the excluſion; and if the deſign had been carried on, in the ſpirit of a country party, it would probably have been carried on with a national concurrence, and would conſequently have ſucceeded in effect, though not perhaps at once, nor in the very form at firſt propoſed.

THE violent and ſanguinary proſecution of the popiſh plot was intended, no doubt, to make the ſucceſs of the excluſion more ſecure, by raiſing the paſſions of men ſo high, that no expedient but an abſolute and immediate excluſion, in the terms of the bill, ſhould be thought ſufficient. I cannot help ſaying, on this occaſion, that I wiſh this laudable and juſt deſign had not been pur-

ſued, by wading through the blood of ſo many men; enemies to our religion and liberty, indeed; but convicted, for the moſt part, on evidence, which could hardly have paſs'd, at any other time, I wiſh we had done nothing, which might be interpreted to the diſrepute of our own religion, whilſt we attempted to proſcribe theirs. In fine, I wiſh, for the honour of my country, that the proſecutions, on account of this plot, and much more on account of another, which was ſet up as a kind of retaliation for this, and which cauſed ſome of the nobleſt, as well as ſome of the meaneſt blood in the nation to be ſpilt, could be eraſed out of the records of hiſtory. But there is ſtill a farther reaſon to wiſh that greater temper had been join'd, at this time, to the ſame zeal for religion and liberty. Men were made to believe that the king, who had yielded on ſo many other occaſions, would yield on this; that he, who had given up ſo many miniſters, would give up his brother at laſt; and that if the parliament would accept nothing leſs than the excluſion, in their own way, it would be extorted from him. Now in this they were fatally deceived; and I muſt continue to ſuſpect, till I meet with better reaſons than I have yet found to the contrary, that they were ſo deceived by the intrigues of two very oppoſite cabals; by the duke of YORK's, who were averſe to all excluſions, whether abſolute,

abſolute, or limited, but moſt to the laſt; and by the duke of MONMOUTH's, who could not find their account in any but an abſolute excluſion; nor in this neither, unleſs the bill paſs'd without any mention of the duke's daughters, as next in ſucceſſion; to which, as biſhop BURNET tells us, the prince of ORANGE was willing to comply, on the faith of aſſurances he had received from hence; a fact, which the biſhop might know, and we may therefore take on his word, as extraordinary as it ſeems. I would only obſerve that king WILLIAM, then prince of ORANGE, could have no reaſon for conſenting that his wife's pretenſions to the crown ſhould not be confirm'd by an act, which excluded her father, except one; and that was the neceſſity, real, or apparent, of uniting different private intereſts in the public meaſure of excluding the duke of YORK. Now, if this was his reaſon, the ſame reaſon proves, what ſhall be farther confirm'd in the next letter, that a ſpirit of faction ran through the proceedings of thoſe, who promoted the bill of excluſion; and when faction was oppoſed to faction, there is no room to wonder, if that of the court prevail'd. The king, who had not uſed to ſhew firmneſs, on other occaſions, was firm on this; and the conſequence of puſhing the excluſion, in this manner, was giving him an opportunity of breaking the country party; of dividing the nation into whig

whig and tory; of governing himſelf, without parliaments; and of leaving the throne open to his brother, not only without limitations, or conditions, but with a more abſolute power eſtabliſh'd, than any prince of his family had enjoy'd.

As ſoon as the court had got, by management, a plauſible pretence of objecting a ſpirit of faction to thoſe in the oppoſition, the ſtrength of the oppoſition was broken, becauſe the national union was diſſolved. A country party muſt be authorized by the voice of the country. It muſt be form'd on principles of common intereſt. It cannot be united and maintain'd on the particular prejudices, any more than it can, or ought to be, directed to the particular intereſts of any ſet of men whatſoever. A party, thus conſtituted, is improperly call'd a party. It is the nation, ſpeaking and acting in the diſcourſe and conduct of particular men. It will prevail in all ſtruggles ſooner, or later, as long as our conſtitution ſubſiſts; and nothing is more eaſy to demonſtrate than this; that whenever ſuch a party finds it difficult to prevail, our conſtitution is in danger; and when they find it impoſſible, our conſtitution muſt, in fact, be alter'd. On the other hand, whenever the prejudices and intereſts of particular ſets of men prevail, the eſſence of a country party is annihilated, and the very appearance of it will ſoon be loſt. Every man

man will reſort in this caſe to that ſtandard, under which he hath been marſhal'd in former diviſions; to which his inclinations lead him; or which, though he does not intirely approve, yet diſapproves the leaſt.

SUCH a diſſolution of a country party was brought about at the period, to which we are now come in our deduction of parties, by the paſſions, the public pique, and private intereſt of particular men, and by the wily intrigues of the court. The diſſolution of this party, and the new diviſion of the nation into whig and tory, brought us into extreme danger. This extreme danger reunited the nation again, and a coalition of parties ſaved the whole. Such an experience might have ſhew'd them, that how oppoſite ſoever their profeſſions were, yet they really differ'd more on negative than on poſitive principles; that they ſaw one another in a falſe light, for the moſt part, and fought with phantoms, conjured up to maintain their diviſion, rather than with real beings. Experience had not this happy effect ſoon. The ſwell of the ſea continued, long after the ſtorm was over; and we have ſeen theſe parties kick and cuff like drunken men, when they were both of the ſame ſide. Let us hope that this ſcene of tragical folly is over, to the diſappointment of thoſe, who are conſcious of paſt iniquity, or who meditate future miſchief. There are no others, who wiſh and endeavour to prolong it.

I am, ſir, &c. LET-

LETTER V.

SIR,

NOTHING is more uſeful, nothing more neceſſary, in the conduct of public affairs, than a juſt diſcernment of ſpirits. I mean here not only that natural private ſagacity, which is converſant about individuals, and enables ſome men to pry, as it were, into the heads and hearts of others, and to diſcover with them thoſe latent principles, which conſtitute their true characters, and are often diſguiſed in outward action; but I mean principally that acquired, public, political ſagacity, which is of the ſame kind, though I think not altogether the ſame thing, as the former; which flows from nature too, but requires more to be aſſiſted by experience, and form'd by art. This is that ſuperior talent of miniſters of ſtate, which is ſo rarely found in thoſe of other countries, and which abounds ſo happily at preſent in thoſe of Great Britain. It is by this, that they diſcover the moſt ſecret diſpoſitions of other courts; and diſcovering thoſe diſpoſitions, prevent their deſigns, or never ſuffer themſelves to be ſurpriſed by them. It is by this, that they watch over the public tranquility

quility at home; foreſee what effect every event, that happens, and much more every ſtep they make themſelves, will have on the ſentiments and paſſions of mankind. This part of human wiſdom is therefore every where of uſe; but is of indiſpenſable neceſſity in free countries, where a greater regard is to be conſtantly had to the various fluctuations of parties; to the temper, humour, opinion and prejudices of the people. Without ſuch a regard as this, thoſe combinations of peculiar circumſtances, which we commonly call conjunctures, can never be improved to the beſt advantage, by acting in conformity and in proportion to them; and without improving ſuch conjunctures to the beſt advantage, it is impoſſible to atchieve any great undertaking; or even to conduct affairs ſucceſsfully, in their ordinary courſe.

A WANT of this juſt diſcernment of ſpirits, if I am not extremely miſtaken, defeated the deſigns of thoſe, who proſecuted with ſo much vigour the popiſh plot, and the excluſion of the duke of YORK. Several of them were men of very great abilities; and yet we ſhall have no reaſon to be ſurpriſed that they fail'd in this point, if we reflect how unfit even the greateſt genius is to diſcern the ſpirit of others, when he hath once overheated his own. All men are fallible; but here lies the difference. Some men, ſuch as I have juſt mention'd, croſs'd by difficulties, preſs'd

preſs'd by exigencies, tranſported by their own paſſions, or by the paſſions of thoſe, who fight under their banner, may now and then deviate into error, and into error of long and fatal conſequence. But there are ſome men, ſuch as I ſhall not mention upon this occaſion, (becauſe I reſerve them for another and a better) who never deviate into the road of good ſenſe; who, croſs'd by no difficulties, preſs'd by no exigencies, meeting ſcarce oppoſition enough to excite their induſtry, and guiding a tame well-tutor'd flock, that follow their bell-weather obſtinately, but never tread on his heels; there are men, I ſay, whoſe ſpecial privilege it is to proceed with all theſe advantages, deliberately and ſupercilioufly, from blunder to blunder, from year to year, in one perpetual maze of confuſed, incoherent, inconſiſtent, unmeaning ſchemes of buſineſs.

BUT having nothing to do with the men of this character at preſent, I return to thoſe of the former claſs; to the men, who led the whig party, at its firſt appearance, in the time of king CHARLES the ſecond. The foundation, upon which they built all their hopes of ſucceſs, was this; that they ſhould frighten and force the king into a compliance with them; but they did not enough conſider that the methods they took were equally proper to frighten and force a great part of the nation from them, by reaſon of the particular

ticular circumſtances of that time. They did not enough conſider that when they began to put their deſigns in execution, ſcarce twenty years had paſs'd from the reſtoration; and that the higheſt principles, in favour of the church and the monarchy, had prevail'd almoſt univerſally, during one half of that time, and very generally, during the other half; that they had the accidental paſſions of the people for them, but the ſettled habits of thinking againſt them; that they were going off from a broad to a narrow bottom; from the nation to a part of the nation; and this at a time when they wanted a more than ordinary concurrence of the whole body. They did not enough conſider that they were changing the very nature of their party, and giving an opportunity to the court, which was then become, in the ſtrict ſenſe of the word, a faction, to grow up into a party again, and ſuch a party as would divide, at leaſt, the people with them, upon principles, plauſible in thoſe days, and ſufficient to raiſe a ſpirit, capable to diſappoint all their endeavours.

THE ſame reſentments and prejudices, the ſame jealouſies and fears, which burſt out with violence, upon many occaſions, a few years before, lay ſtill in the hearts of men; latent and quiet, indeed, and wearing out by degrees; but yet eaſy to be revived, and to be blown up anew. If we compare the conduct

duct of the long parliament, in 1674 and 1675, with the attempts, which had been lately made, during the adminiſtration of the cabal; with the ſecret of the ſecond Dutch war, and many other deſigns and practices of the court, which were then come lately and very authentically to light; with the ſtate of Scotland, which was then ſubdued under a real tyranny, and with that of Ireland, where, to ſay no more, the act of ſettlement was but ill obſerved; if we make this compariſon, it will not yet appear that the proceedings of the houſe of commons were immoderate, though they were warm; nor factious, though they were vigorous; nor that any danger could be then reaſonably apprehended from them, except to the enemies of the conſtitution in church and ſtate; and yet even then the old reſentments, prejudices, jealouſies, and fears began to revive; and an apprehenſion of falling back under the influence of preſbyterian and republican principles began to ſhew itſelf in the houſe of lords, and in the nation. It is true that this had no immediate conſequence; becauſe the popiſh plot broke out ſoon afterwards like a mighty flame, in which theſe little fires, that began to burn anew, were loſt. This great event made the church and the diſſenters continue to run into one, as they had begun to do before; and the ſole diviſion of parties was that of the court and the country,

try, as long as this parliament laſted. But ſtill it was evident with how delicate an hand every thing, that related to our former diſputes, required to be touch'd. It was evident that the leaſt alarm given to the church, or to thoſe who valued themſelves on the principles of loyalty then in faſhion, would be ſufficient to open thoſe wounds, which were juſt ſkin'd over, and to raiſe two new parties out of the aſhes of the old.

THESE parties were not raiſed, whilſt the long parliament ſat; becauſe a general opinion prevail'd, and well enough founded on their precedent conduct, that however angry the king might be with the parliament, or the parliament with the king, a few popular ſteps made on one ſide, and a little money granted on the other, would ſoften matters between them, and diſpoſe them to forget all former quarrels. As hot therefore as the parliament grew, and as much as ſome people might think that they exceeded their bounds, yet ſtill it was difficult to perſuade even theſe people that a parliament, like this, would puſh things to the laſt extremity; deſtroy the conſtitution they had ſettled and ſupported with ſo much zeal; or draw the ſword againſt a prince, to whom they had borne ſo much affection. But in the parliaments, which follow'd, the caſe was not the ſame, and I will ſtate as ſhortly as I can, upon authorities, which no man

likely

likely to contradict me must refuse, what made the difference. These authorities shall be that of BURNET, and that of RAPIN; whom I quote, on this occasion, for the same reason as I would quote my lord CLARENDON against king CHARLES the first, or LUDLOW for him.

IN the year 1676, before we have grounds sufficient to affirm that the design of (*a*) excluding the duke of YORK was form'd, but not before we have reason to suspect that it might be in the thoughts of several, those, who stood foremost in the opposition to the court, were very industrious to procure a dissolution of the long parliament; so industrious, that they (*b*) negotiated the affair with the duke, who had concur'd in a vote for an address to dissolve it; and they undertook (*c*) that a new parliament should be more inclinable to grant the papists a toleration, than they would ever find this would prove. The papists were in earnest for this measure; since COLEMAN drew a declaration for justifying it, and since their design in it was to divide the (*d*) king and his people. It is fair to conclude that the protestants, who had been in it at the time I mention, upon party views, were at least as much so, when their views

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(*a*) BURNET's history of his own times. vol. 1. p. 393.
(*b*) ibid. (*c*) ibid. (*d*) ibid.

rose

roſe higher. This parliament had puſh'd a ſtrict and thorough examination into the popiſh plot, with great ſincerity and zeal. Nay, the project of the excluſion had been ſtarted, though not proſecuted, in the laſt ſeſſions. May we not take it for granted however that they, who were now reſolved to carry the excluſion in a manner, in which they ſoon attempted to carry it, and who foreſaw by conſequence the difficulties, that would be oppoſed to them, and the ſtrong meaſures they ſhould be obliged to purſue, in order to overcome theſe difficulties; I ſay, might not they think this parliament much leſs proper than any other to engage and perſiſt in ſuch meaſures? They thought thus, without doubt; and ſo far they judged better than the king, who came into the diſſolution, upon very different motives. But as to the conſequence of engaging a new parliament in ſuch ſtrong meaſures, the event ſhew'd that the king judged better than they, in the progreſs of this affair.

THE diſſenters, who had been long perſecuted by the parliament, and banter'd and abuſed by the court, were encouraged by the conjuncture to lift up their heads. They took advantage of the horror and indignation, which the diſcovery of the popiſh plot, and the uſe made of this diſcovery, had raiſed all over the kingdom. They could not be more zealous in this cauſe than the members

of the eſtabliſh'd church had ſhewn themſelves to be; but they cried, perhaps, louder for it. In ſhort, whatever their management was, or however they were abetted, certain it is that they were very active, and very ſucceſsful too, in the elections of the parliament, which follow'd the long parliament, according to RAPIN, who aſſerts that many of the members, choſen into this houſe of commons, were preſbyterians. He might have ſaid as much, upon juſt as good grounds, of the two parliaments, which follow'd this, and I ſhall ſpeak of them indiſcriminately. The leaders, who muſter'd all their forces, in order to puſh the bill of excluſion, look'd on this turn in the elections as an advantage to them, and it might not have been a diſadvantage, if they and the diſſenters had improved it with more moderation. But they were far from doing ſo, as RAPIN himſelf ſeems to own a little unwillingly, when he ſays, that "complaiſance for the preſbyte-" rians was carried, perhaps, too far in the" bill for the comprehenſion of proteſtant" diſſenters." Biſhop BURNET ſpeaks more plainly. He owns "that many began to" declare openly in favour of the non-con-" formiſts; that upon this the non-conform-" iſts behaved themſelves very indecently;" that they fell ſeverely on the body of the" clergy; and that they made the biſhops" and clergy apprehend that a rebellion, and

" with

" with it the pulling the church to pieces, " was deſign'd." Several other paſſages of the ſame ſtrength, and to the ſame purpoſe, might be collected from this hiſtorian; and he, who reads them, will not be ſurprized, I think, to find that ſuch proceedings as theſe, both in parliament and out of it, gave an alarm to the clergy, and ſet them to make parallels between the late and the preſent times; and to infuſe the fears and the paſſions, which agitated them, into the nation. The biſhop accuſes them, indeed, of doing this with much indecency. But they, who are frighten'd out of their wits, will be apt to be indecent; and indecency begets indecency.

AT the ſame time, that the jealouſies of a deſign to deſtroy the church prevail'd, others prevail'd likewiſe of a deſign to alter the government of the ſtate; of a deſign not only againſt the ſucceſſor; but againſt the poſſeſſor of the crown. " Many well-meaning men, (ſays biſhop BURNET upon one occaſion) " began to diſlike theſe practices, and to ap- " prehend that a change of government was " deſign'd.——The king came to think him- " ſelf, (ſays the ſame author upon another occaſion) " levell'd at chiefly, though for de- " cency's ſake his brother was only named." RAPIN goes farther; for, ſpeaking of the ſame time, he uſes this remarkable expreſſion; that " things ſeem'd to be taking the " ſame courſe as in the year 1640; and there

" was reaſon to think that the oppoſing party " had no better intentions towards the king " now then the enemies of king CHARLES " the firſt had towards him." But whatever ſome particular men, who knew themſelves irreconcileable with the king as well as the duke, or ſome others, who had ſtill about them a tang of religious enthuſiaſm and republican whimſies, might intend; I am far from thinking that the party, who promoted the excluſion, meant to deſtroy, on the contrary it is plain that they meant to preſerve, by that very meaſure, the conſtitution in church and ſtate. The reaſon why I quote theſe paſſages, and refer to others of the ſame kind, is not to ſhew what was really deſign'd, but what was apprehended; for as the diſtinction of whig and tory ſubſiſted long after the real differences were extinguiſh'd, ſo were theſe parties at firſt divided, not ſo much by overt-acts committed, as by the apprehenſions, which each of them entertain'd of the intentions of the other. When the reſolution was once taken of rejecting all limitations, on the belief artfully and, I think, knaviſhly propagated, that the king would yield, if the parliament perſiſted; the neceſſary conſequences of the king's adhering inflexibly to his brother were thoſe, which follow'd; thoſe fulmina parliamentaria, harſh votes, angry proceedings, addreſſes, that were in truth remonſtrances, projects of aſſociations, pretenſions

tenſions to a power of diſpenſing with the execution of laws, (that very prerogative they had ſo juſtly refuſed to the crown) and many others, which I omit. All theſe would have been blaſts of wind, bruta fulmina, no more, if the king had yielded; and that they were puſh'd in this confidence by the bulk of the party, who puſh'd them, cannot be doubted; ſince it cannot be doubted that the bulk of the party depended on the king's yielding almoſt, perhaps, even to the laſt. Some few might be willing, nay deſirous, that he ſhould not yield, and hope to bring things into a ſtate of confuſion; which none but madmen, or thoſe, whom their crimes, or their fortunes render deſperate, can ever wiſh to ſee. But it would be hard indeed, if parties were to be characterized, not by their common view, or the general tenor of their conduct, but by the private views imputed to ſome amongſt them, or by the particular ſallies, into which miſtake, ſurprize, or paſſion, hath ſometimes betray'd the beſt-intention'd, and even the beſt conducted bodies of men. Whig and tory were now form'd into parties; but I think they were not now, nor at any other time, what they believed one another, nor what they have been repreſented by their enemies, nay by their friends. The whigs were not roundheads, tho' the meaſures they purſued, being ſtronger than the temper of the nation would then bear, gave occaſion

to

to the ſuſpicions I have mention'd. The tories were not cavaliers, though they took the alarm ſo ſudden and ſo warm for the church and the king; and tho' they carried the principles in favour of the king, at leaſt, whilſt the heat of their conteſts with the oppoſite party laſted, higher than they had been ever carried before. The whigs were not diſſenters, nor republicans, though they favour'd the former, and though ſome inconſiderable remains of the latter might find ſhelter in their party. The tories had no diſpoſition to become ſlaves, or papiſts, tho' they abetted the exerciſe of an exorbitant power by the crown, and tho' they ſupported the pretenſions of a popiſh ſucceſſor to it. Thus I think about the parties, which aroſe in the reign of king CHARLES the ſecond; and as I deliver my thoughts with frankneſs, I hope they will be received with candour. Some farther and ſtronger reaſons for receiving them ſo may, perhaps, appear in a ſubſequent letter.

I am, ſir, yours, &c.

LETTER VI.

SIR,

IF king CHARLES the ſecond could have been prevail'd upon to ſacrifice the chimeri-

cal

cal divine right of his brother to the real intereſt, and right too, of his people; that happy event would have made him ample amends in future eaſe and quiet, and the nation in future ſecurity, for all precedent diſorders, dangers and fears of danger. But inſtead of this, he was every day confirm'd in the reſolution of not giving up, directly and in terms, that right to his brother, which he thought reflected ſtrength on his own. The very meaſures, taken to force him to ſubmit, enabled him to reſiſt. The oppoſite ſpirit ſpent itſelf in blood and violence. The ſpirit of him roſe viſibly in the nation; and he ſaw very ſoon the time approach, when he might venture to appeal to his people againſt his parliament. This time was come, when men were convinced that a country party prevail'd no longer, but that faction had taken its place. Many appearances, which I have not room to enumerate, ſerved to propagate this opinion; particularly the behaviour and almoſt avow'd pretenſions of the duke of MONMOUTH, which were caried on even in defiance of the ſolemn declaration made by the king, that he had never married the duke's mother.

SOME of the worthieſt and warmeſt men, who were engaged for the excluſion, complain'd themſelves, even from the firſt, of the private intereſts and factious intrigues, which prevail'd amongſt them. "I muſt con-

"feſs,

" feſs" (ſays a very conſiderable man, who laid down his life for this cauſe afterwards, and whoſe original letter is ſtill extant) " I muſt " confeſs, I do not know three men of a " mind; and that a ſpirit of giddineſs reigns " amongſt us, far beyond any I ever obſerved " in my life;" and yet he had lived and acted in as factious a time as this nation ever ſaw. He proceeds; " ſome look who is fitteſt to " ſucceed. They are for the moſt part di- " vided between the prince of ORANGE, and " the duke of MONMOUTH. The firſt hath " plainly the moſt plauſible title. I need not " tell you the reaſons againſt MONMOUTH. " The ſtrongeſt for him are, that whoever " is oppoſed to YORK will have a good party; " and all Scotland, which is every day like to " be in arms, doth certainly favour him, and " may probably be of as much importance in " the troubles, that are now likely to fall up- " on us, as they were in the beginning of the " laſt. Others are only upon negatives, &c."

I COULD eaſily multiply proofs of this kind, but I think I need not take any pains to ſhew that there was ſuch a faction form'd at this time; nor to refute WELWOOD, who aſ- ſerts " that the duke of MONMOUTH was not " ambitious to the degree of aſpiring to the " crown, till after his landing in the weſt." I will only remark that the efforts of this faction amongſt thoſe, who drove on the bill of excluſion, furniſh'd another motive to the diviſion and animoſity of parties. The tories,

who

who had divided from the others, on jealouſies of deſigns to change the conſtitution in church and ſtate, began now to apprehend that the oppoſite party might ſucceed in another view, and ſet up a king of their own nomination. A notion then entertain'd by many, that the worſe title a man had, the better king he was likely to make, did not perſuade them. They had ſuffer'd under the tyranny of a party; many of them had been themſelves the abettors of a party-adminiſtration; and they fear'd with reaſon a party-king. Thus perſonal intereſts were mingled on both ſides with public conſiderations; and the duke of YORK gain'd a great number of adherents, not by affection to him, but by an averſion to MONMOUTH; which increaſed among the tories, in proportion as the duke's popularity increaſed among the whigs; not by any favourable diſpoſition in the tories to popery and arbitrary power; but by a dread, as I have obſerved already, of returning in the leaſt degree under the influence of thoſe principles, and the power of thoſe men, whoſe yoke had gall'd the necks of many that were ſtill alive and active on the ſtage of public affairs. "Men grew "jealous of the deſign (ſays biſhop BURNET, ſpeaking of MONMOUTH's popularity) "and "fancy'd here was a new civil war to be "raiſed. Upon this, they join'd with the "duke's party;" meaning the duke of YORK's.

I ſay nothing of the apprehenſions entertain'd on one ſide, and the expectations entertain'd on the other from Scotland; becauſe though there was, even in the beginning of theſe ſtruggles, a concert between thoſe, who were oppreſs'd by the court there, and thoſe, who oppoſed it here, which grew afterwards into a cloſer correſpondence, and became riper for action; yet the ſeditious ſpirit, that gave occaſion to theſe apprehenſions and expectations, was rouzed and exaſperated by the inhumanity of the duke of LAUDERDALE; who, though a preſbyterian himſelf, was the butcher of that party; puſh'd the warmeſt of them into unjuſtifiable exceſſes; revived their ſilly zeal for the covenant; and wrought up their enthuſiaſm even to aſſaſſination and rebellion. Let me only obſerve that this was plainly the fault of the court, and could not therefore be imputed to the whigs, whatever uſe ſome of that party might propoſe to make of ſuch a diſpoſition. The violence of the conventiclers was ſounded high, in order to palliate the ſeverities exerciſed in the government of that kingdom. But the reaſonable men of all parties thought then, as they think now, and always will think, that it is the duty of thoſe, who govern, to diſcern the ſpirit of the people; to conſider even their paſſions; to have a regard to their weakneſſes; and to

ſhew

ſhew indulgence to their prejudices; and that miniſters, who puniſh what they might prevent, are more culpable than thoſe, who offend.

As the two parties were form'd, ſo was their diviſion maintain'd by mutual jealouſies and fears; which are often ſufficient to nouriſh themſelves, when they have once taken root in the mind; and which were, at this time, water'd and cultivated with all the factious induſtry poſſible. The moſt improbable reports, the moſt idle ſurmiſes, carried about in whiſpers, were ſufficient (as I might eaſily ſhew in various inſtances) to raiſe a panic terror in one party, or the other. In both, there were but too many perſons on the watch, to improve and to propagate theſe terrors, and by a frequent repetition of ſuch impreſſions to raiſe the alarm and hatred of parties to the higheſt pitch. He, who went about to allay this extravagant ferment, was call'd a trimmer; and he, who was in truth a common friend, was ſure of being treated like a common enemy. Some, who voted for the bill of excluſion, were very far from being heartily for it; but I have ſeen good reaſons to believe, and ſuch there are even in our public relations, that ſome of thoſe, who voted againſt it, and declared for limitations, concur'd in the end, tho' they differ'd in the means, with thoſe, who promoted the bill. And yet ſuch men were conſtantly mark'd

mark'd out as favourers of popery and enemies to their country. Thus in the other party, men, who had no other view but that of ſecuring their religion and liberty, and who meant nothing more than to force the court into ſuch compliances, as they judged neceſſary to eſtabliſh this ſecurity, were ſtigmatized with the opprobious names of fanatic and republican. Thus it happen'd in thoſe days; and thus it happens in ours; when any man, who declares againſt a certain perſon, againſt whom the voice of the nation hath already declared, or complains of things, which are ſo notorious, that no man in the nation can deny them, is ſure to be follow'd by the cry of jacobitiſm, or republicaniſm. But there is a great difference, God be praiſed, between the two caſes. The preſent cry, being void of pretence, is therefore without effect. It is heard in few places, and believed only in one. But to return;

WHEN the nation was divided in this manner, the heat of the parties increaſed as their conteſt laſted, according to the uſual courſe of things. New engagements were daily taken; new provocations and offences were daily given. Public diſputes begot private pique; and private pique ſupported public diſputes with greater rancour and obſtinacy. The oppoſite principles, advanced by

by the two parties, were carried higher and higher, as they grew more inflamed; and the meaſures they purſued, in order to get the better each of his adverſary, without overmuch regard to any other conſequence, become ſtronger and ſtronger, and perhaps equally dangerous. The meeting of the parliament at Oxford had a kind of hoſtile appearance; and as ſoon as parliaments were laid aſide, which happen'd on the ſudden and indecent diſſolution of this, the appearance grew worſe. No ſecurity having been obtain'd by parliamentary methods, againſt the dangers of a popiſh ſucceſſion, it is probable that they, who look'd on theſe dangers as neareſt and greateſt, began to caſt about how they might ſecure themſelves, and their country againſt them, by methods of another kind; ſuch as extreme neceſſity, and nothing but extreme neceſſity can authorize. Such methods were happily purſued and attended with glorious ſucceſs, a few years afterwards, when this ſucceſſion had taken place; and, by taking place, had juſtify'd all, that had been ſaid againſt it, or foreboded of it; when this nation was ripe for reſiſtance, and the prince of ORANGE ready and able, from a multitude of fortunate, concurring circumſtances, to ſupport ſo great an enterprize. But the attempts, which were wiſe at one time, would have been deſperate at the other; and the meaſures, which produced a revolution,

lution, in the reign of king JAMES, would have produced, in the reign of king CHARLES, a civil war of uncertain event at the beſt; I ſay of uncertain event at beſt; becauſe it ſeems to me that whoever revolves in his thoughts the ſtate of England and Scotland, as well as the ſituation of our neighbours on the continent, at that time, muſt be of opinion that if the quarrel about the excluſion had broke out into a war, the beſt cauſe would have been the worſt ſupported. The king, more united than ever with his brother, would have prevail'd. What was projected in 1670, and perhaps more than was then intended, would have been effected; and the religion and liberty of Great Britain would have been deſtroy'd by conſequence. We cannot ſay, and it would be preſumption to pretend to gueſs, how far the heads of party had gone, in Scotland, or in England, into meaſures for employing force. Perhaps, little more had paſs'd, in which they, who became the principal ſacrifices, were any way concern'd, than raſh diſcourſe about dangerous, but rude, indigeſted ſchemes, ſtarted by men of wild imaginations, or deſperate fortunes, and rather hearken'd to than aſſented to; nay, poſſibly, deſpiſed and neglected by them. But the court, who wanted a plot to confirm and increaſe their party, and to turn the popular tide in their favour, took the firſt opportunity of having one

one; which was ſoon furniſh'd to them by the imprudent, but honeſt zeal of ſome, and by the villany as well as madneſs of others; and they proſecuted it ſo ſeverely, with the help of * "forward ſheriffs, willing ju-"ries, bold witneſſes and mercenary judges," that it anſwer'd all their ends. The deſign of aſſaſſinating the king and the duke was certainly confined to a few deſperate villains, but ‡ "too many had heard it from them, "who were both ſo fooliſh and ſo wicked, "as not to diſcover them;" and this reflect-ed great prejudice, though I doubt not in many caſes very unjuſtly, againſt all thoſe, who had acted upon better principles, but yet were involved in theſe proſecutions.

As this event diſarm'd, diſpirited and broke one party; ſo it ſtrengthen'd, animated and united the other. The tories, who look'd on the dangers they apprehended from the whigs to be greater and nearer than thoſe, which they had apprehended, as well as the whigs, before this new diviſion of parties, from a popiſh ſucceſſion, were now confirm'd in their prejudices. Under this perſuaſion, they ran headlong into all the meaſures, which were taken for enlarging the king's authority, and ſecuring the crown to the duke of YORK. The principles of divine hereditary right, of paſſive-obedience, and non-

* BURNET. ‡ Id.

non-reſiſtance, were revived and propagated with greater zeal than ever. Not only the wild whimſies of enthuſiaſts, of ſchoolmen and philoſophers, but the plaineſt dictates of reaſon were ſolemnly condemn'd, in favour of them, by learned and reverend bodies of men; who little thought that in five years time, that is in 1688, they ſhould act conformably to ſome of the very propoſitions, which at this time they declared falſe, ſeditious and impious.

IN ſhort, the guelphs and gibellines were not more animated againſt each other, at any time, than the tories and whigs at this; and in ſuch a national temper, conſiderable ſteps were made, as they well might be, towards the deſtruction of our conſtitution. One of thoſe, which RAPIN enumerates, and inſiſts upon very gravely, can ſcarce be mention'd without ſmiling. "The king, (ſays he,) in "order to make his people feel the ſlavery "he had newly impoſed on them, affected "to review his troops; and theſe troops a-"mounted, by the return of the garriſon of "Tangier, to 4000 men, effective, and well-"arm'd." The whigs, indeed, in thoſe days, were ſo averſe to ſtanding armies, that they thought even thoſe troops, commonly call'd guards, unlawful; and biſhop BURNET argues, in his reflections on my lord RUSSEL's tryal, that "a deſign to ſeize on them amounted to "no more than a deſign to ſeize on a part of "the

the king's army. But it is poſſible that the tories, who had ſhew'd their diſlike of ſtanding armies ſufficiently in the long parliament, might think it however no unreaſonable thing, when deſigns of inſurrections, and even of aſſaſſinations had come ſo lately to light, that a number of regular troops, ſufficient to defend the perſon of the king, but not ſufficient to oppreſs the liberties of the people, and five times leſs than we have ſince ſeen kept up, in the midſt of the moſt ſecure tranquility, ſhould be wink'd at, till theſe diſtempers were intirely over.

ANOTHER ſtep, which the ſame author mentions, was indeed of the greateſt conſequence, and laid the ax to the root of all our liberties at once, by giving the crown ſuch an influence over the elections of members to ſerve in parliament, as could not fail to deſtroy that independency, by which alone the freedom of our government hath been, and can be ſupported. I mean the proceedings by quo warranto, and the other methods taken to force, or perſuade, the corporations to ſurrender their old charters, and accept new ones, under ſuch limitations and conditions, as the king thought fit to innovate. Theſe proceedings were violent, the judgments upon them arbitrary, and the other methods employ'd ſcandalous. But ſtill it was the end, it was the conſequence, that alarm'd and terrify'd all thoſe, who had not ſold themſelves to the court, or who had not

loſt, in their zeal for party, all regard to their country, much more than the means, that were employ'd upon this occaſion. If, inſtead of garbling corporations by prerogative, the court could have purchaſed their elections by money, we may reaſonably believe that the ſurer and more ſilent way would have been taken. But would the alarm have been leſs among all the friends of liberty? Certainly not. They would have ſeen that the end was the ſame, and have diſliked theſe means the more, for being leſs liable to obſervation and clamour. A prince, aſſerting an illegal and dangerous prerogative, and applauded for doing ſo, and ſeconded in the attempt by a numerous party in the nation, carried no doubt a very terrible aſpect. But ſtill there was room to hope, the violent character of the duke of YORK conſider'd, (and that hope was actually entertain'd by many) that the party, who abetted theſe uſurpations of the prerogative, might be ſoon frighten'd back again from a court to a country intereſt; in which caſe, there was room to hope likewiſe, the milder character and better underſtanding of the king conſider'd, that the evil might be in ſome degree redreſs'd, and the conſequences of it prevented. It was reaſonable for the friends of liberty to expect that men, who were injured, would complain and ſeek relief, on the firſt favourable

favourable opportunity. But if they had been corrupted, and the practice of ſelling elections had been once eſtabliſh'd, I imagine that the friends of liberty would have thought the caſe more deſperate. It is certainly an eaſier taſk, and there is ſomewhat leſs provoking, as well as leſs dangerous in it, to ſtruggle even with a great prince, who ſtands on prerogative, than with a weak, but profligate miniſter, if he hath the means of corruption in his power, and if the luxury and proſtitution of the age have enabled him to bring it into faſhion. Nothing ſurely could provoke men, who had the ſpirit of liberty in their ſouls, more than to figure to themſelves one of theſe ſaucy creatures of fortune, whom ſhe raiſes in the extravagance of her caprice, diſpatching his emiſſaries, eccleſiaſtical and ſecular, like ſo many evil dæmons, to the north and to the ſouth, to buy the votes of the people with the money of the people, and to chuſe a repreſentative body, not of the people, but of the enemy of the people, of himſelf.

THIS was not the caſe at the time we are ſpeaking of. It was prerogative, not money, which had like to have deſtroy'd our liberties then. Government was not then carried on by undertakers, to whom ſo much power was farm'd out for returns of ſo much money, and ſo much money intruſted for returns of ſo much power. But though the

caſe was not ſo deſperate ; yet was it bad enough in all conſcience ; and among all the exceſſes, into which the tories ran, in favour of the crown, and in hopes of fixing dominion in their own party, their zeal to ſupport the methods of garbling corporations was, in my opinion, that, which threaten'd public liberty the moſt. It hath been reproach'd to them by many ; but if among thoſe, who reproach'd them, there ſhould be ſome, who have ſhared ſince that time in the more dangerous practice of corrupting corporations ; ſuch men muſt have fronts of braſs, and deſerve all the indignation, which is due to iniquity, aggravated by impudence. The others abetted, in favour of a prerogative, ſuppoſed real by many in thoſe days, and under the pretence at leaſt of law, a power, which gave the crown too much influence in the elections of members of the houſe of commons ; but theſe men, if there are any ſuch, have been concern'd in a practice, for the ſake of their own vile intereſt, which ſpreads like a gangrene over the whole body of a nation, and to every branch of government ; and which hath never fail'd, in any one inſtance, where it hath been ſuffer'd, to become the bane of liberty.

WE have now carried the two parties through that period of time, when the conduct of both was moſt liable to the objections made to them by their adverſaries. The tories

tories acted on the most abject principles of submission to the king; and, on those of hereditary right, were zealous for the succession of a prince, whose bigotry render'd him unfit to rule a protestant and a free people. The whigs maintain'd the power of parliament to limit the succession to the crown, and avow'd the principles of resistance; in which they had law, example and reason for them. But then the fury of faction was for doing that without parliament, which could only legally done by it; and, in order to this, the principles of resistance were extended too far; and the hottest of the party taking the lead, they acted in an extravagant spirit of licence, rather than a sober spirit of liberty; and the madness of a few, little inferior to that of CROMWELL's enthusiasts, dishonour'd the whole cause for a time. My intention was not to have left them here; but to have carried these observations on so far as to justify, notwithstanding these appearances, what is said at the conclusion of my last letter, concerning the true characters of both parties. But either the abundance of matter hath deceived me, or I have wanted skill and time to abridge it; so that I must defer this part of my task, and crave your indulgence, as well as that of your readers, for my prolixity.

I am, sir, &c.

LET-

LETTER VII.

SIR,

I Advanced, in the firſt of theſe eſſays, ſomething to this effect; that every clumſy, buſy, bungling child of fortune, on whom ſhe beſtows the means and the opportunity of corrupting, may govern by this infamous expedient; and, having gratified his ambition and avarice, may have a chance to ſecure himſelf from puniſhment, by deſtroying the liberties of his country. It was advanced likewiſe, in the ſame paper, that every character is not equally fit to govern a people, by dividing them; becauſe ſome cunning, ſome experience, nay, ſome ſkill to form, and ſome addreſs to conduct a ſyſtem of fraud, are neceſſary in this caſe. I perſuade myſelf that no man, who read that paper, was at a loſs to find an inſtance to confirm the truth of the firſt of theſe propoſitions; and we have now before us another, which may ſerve to confirm the truth of the ſecond.

THOUGH I do not think the deſigns of king CHARLES the ſecond either deeply laid, or deeply fix'd in his own mind; yet in general

ral they were founded on bad principles, and directed to bad ends. He desired indeed to be easy, and to make his people so; but then he desired both these on such conditions, as were inconsistent with good government, during the whole course of his reign, and with the security of religion and liberty, during the latter part of it. We have seen how the intemperate conduct of many, and the flagitious designs of some among the whigs, weaken'd their own party, and gave new strength and new provocations to the other. But we have not yet consider'd some other advantages, without which these divisions could neither have been fomented, nor supported as they were. Now these advantages arose chiefly from the character and conduct of the king himself. If king CHARLES had found the nation plunged in corruption; the people chusing their representatives for money, without any other regard; and these representatives of the people, as well as the nobility, reduced by luxury to beg the unhallow'd alms of a court; or to receive, like miserable hirelings, the wages of iniquity from a minister; if he had found the nation, I say, in this condition, (which extravagant supposition one cannot make without horror) he might have dishonour'd her abroad, and impoverish'd and oppress'd her at home, tho' he had been the weakest prince on earth, and his ministers the most odious,

and

and contemptible men, that ever preſumed to be ambitious. Our fathers might have fallen into circumſtances, which compoſe the very quinteſſence of political miſery. They might have "ſold their birth-right for porridge," which was their own. They might have been bubbled by the fooliſh, bullied by the fearful, and inſulted by thoſe, whom they deſpiſed. They would have deſerved to be ſlaves, and they might have been treated as ſuch. When a free people crouch, like camels, to be loaded, the next at hand, no matter who, mounts them, and they ſoon feel the whip, and the ſpur of their tyrant; for a tyrant, whether prince, or miniſter, reſembles the devil in many reſpects; particularly in this. He is often both the tempter and tormentor. He makes the criminal, and he puniſhes the crime.

BUT this was not the ſtate of the Engliſh nation, at the time we ſpeak of. We were not yet corrupted, nor even quite ripe for corruption. Parties there were; and the conteſts of theſe parties gave occaſion to the riſe and growth of factions; ſome of which ran into the moſt ſeditious practices againſt the government, and others into the vileſt ſubmiſſion to it. But ſtill a ſpirit of liberty remain'd in many, uncorrupted and unextinguiſh'd; and ſuch as work'd our national deliverance in the days of diſtreſs, that ſoon follow'd. We were free men then, in the proper

proper ſenſe, and full extent of the words; becauſe not only the laws, which aſſerted our common rights, were maintain'd and improved, but private independency, which can alone ſupport public liberty, under ſuch a government as ours, was itſelf ſupported by ſome of that antient oeconomy and ſimplicity of manners, that were growing, but not grown, out of faſhion. Such a people, as we then were, could neither be bought, nor driven; and I think king CHARLES could not have divided and led them, if he had wanted any of the qualities he poſſeſs'd, or had held another conduct than he held. Far from being proud, haughty, or brutal, * "he had not a grain of pride, or vanity, "in his whole compoſition;" but was the moſt affable, beſt-bred man alive. He treaten his ſubjects like noblemen, like gentlemen, like freemen; not like vaſſals, or boors. Whatever notion he had of his hereditary right, he own'd his obligation for the crown he wore to his people, as much as he would have been bound to do, in reaſon, in juſtice, in honour, and in prudence, if he had ſtood at the greateſt diſtance from it, in the courſe of lineal ſucceſſion, and had been call'd to it from the low ſtate, in which he was before, by the free gift and choice of the nation.

* Sir WILLIAM TEMPLE.

His

His profeſſions were plauſible, and his whole behaviour engaging; ſo that he won upon the hearts, even whilſt he loſt the good opinion of his ſubjects, and often ballanced their judgment of things, by their perſonal inclination. Theſe qualities and this part of his conduct went a great way to give him credit with his people, and an hold on their affections. But this was not all. He obſerved their temper, and he comply'd with it. He yielded to them in points, from which he had determined, and declared too, that he would never depart. To know when to yield, in government, is at leaſt as neceſſary, as to know when to loſe in trade; and he, who cannot do the firſt, is ſo little likely to govern a kingdom well, that it is more than probable he would govern a ſhop ill. King CHARLES gave up to the murmurs of his people, not one or two ſuch miniſters as may be found almoſt behind every deſk; thoſe awkward pageants of courts, thoſe wooden images, which princes gild and then worſhip; but ſeveral great and able men; nay, whole cabals of ſuch, who had merit with him, though they had none with the nation. He ſtarted often out of the true intereſt of his people, but the voice of his people almoſt as often reclaim'd him. He made the firſt Dutch war; but he made the triple alliance too. He engaged with France in the war of 1672; but he made a ſeparate peace with Holland.

True

True it is, indeed, that neither the repreſentations of his parliament, nor the deſires of his people, could prevail on him to go farther, and to enter in earneſt into the war againſt France. But the confidence between him and his parliament was ſo broken at that time, that they would not truſt him, nor he them. At this I am not ſurpriſed, and for that very reaſon, I confeſs, I have always been ſo at the ſtrong and repeated inſtances made to force him into that war; ſince it cannot ſurely be better policy to drive a prince into a war, which he has no inclination to make, than it would be to be drawn by him into a war, if he had no ability to conduct it. In home-affairs, beſides his frequent conceſſions, whenever the nation took umbrage at his proceedings, he paſs'd the teſt and the habeas corpus bills, and many others for the public benefit; and I ſcarce remember any popular act, which ſtop'd at the throne in his time, except that about the militia, which he apprehended to be a dangerous encroachment on his prerogative, and another in favour of the diſſenters, which was contrived, meanly enough, to be ſtolen off the table in the houſe of lords.

WHAT has been touch'd here, and in former papers, will be ſufficient to ſhew, in ſome meaſure, how king CHARLES was enabled to divide a nation ſo united and ſo heated

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as this nation was, on the diſcovery of the popiſh plot; to oppoſe ſo avowedly and ſo reſolutely the excluſion of his brother; the proſpect of whoſe ſucceeding to the crown was become ſtill more dreadful, even by that ſmall part of COLEMAN's correſpondence, which had come to light; and yet to attach ſo numerous a party to himſelf, nay to his brother; to lay aſide parliaments for ſeveral years, and not only to ſtand his ground, but to gain ground in the nation, at the ſame time. But there is ſtill ſomething more to be added. He had not only prepared for the ſtorm, but he acquired new ſtrength in the midſt of it; that is, in the proceedings on the popiſh plot, and the bill of excluſion. He would gladly have kept the former out of parliament; but when it was once there, he put on the appearances of great zeal for the proſecution of it. Theſe appearances help'd him to ſcreen his brother; as the ill ſucceſs of the excluſion bill in the houſe of lords, where it was rejected by ſixty-three againſt thirty, help'd to ſcreen himſelf from the violence of the houſe of commons. But that, which gave him the principal advantage, in the preſent conteſts, was another management. As ſoon as the firſt preparatory ſteps were made to the bill of excluſion in 1678, he declared himſelf, in a ſpeech to his parliament, ready to paſs any bills to make his people ſafe in the reign of his ſucceſſor, "ſo they tended

"not

"not to impeach the right of ſucceſſion nor "the deſcent of the crown in the true line." He perſiſted in his declaration to the laſt; and if he had done nothing elſe, I imagine that he would have gain'd no great popularity. When a free people lye under any grievance, or apprehend any danger, and try to obtain their prince's conſent to deliver them from one or prevent the other; a flat refuſal, on his part, reduces them to the melancholy alternative of continuing to ſubmit to one, and to ſtand expoſed to the other, or of freeing themſelves from both, without his conſent; which can hardly be done by means very conſiſtent with his and their common intereſt. King CHARLES was too wiſe to puſh the nation to ſuch an extremity. He refuſed what his parliament preſs'd on him, in the manner and on the principle they preſs'd it; but then his refuſal was follow'd by expedients; which vary'd the manner, and yet might have been managed ſo as to produce the effect; and which ſeem'd to ſave, rather than actually ſaved, the principle. Numbers concur'd, at that time, in avowing the principle; and the teſts had made many perſons think religion ſafe; as the king's offers made them think it no fault of his, if it was not made ſafer. The council had prepared ſome expedients; and the limitations, and other proviſions againſt a popiſh ſucceſſor, propoſed directly

directly from the throne by the chancellor in 1679, went a great way towards binding the hands of such a successor, and lodging the power, taken from him, in the parliament. But the scheme of expedients, debated in the Oxford parliament, was a real exclusion from every thing, but the title of king. The first article banish'd the duke of YORK, during his life, to the distance of 500 miles from England, Scotland and Ireland; and the tenth, to mention no more, excluded him ipso facto, if he came into any of these kingdoms; directed that he should suffer, in this case, as by the former bill, and that the sovereignty should vest forthwith in the regent; that is, in the princess of ORANGE. Surely this was not to vote the lyon in the lobby into the house. It would have been to vote him out of the house, and lobby both, and only to suffer him to be call'd lyon still. I am not ignorant of the refinements, urged by sir WILLIAM JONES and others against this scheme; but I know that men run into errors from both extremes; from that of seeing too much, as well that of seeing too little; and that the most subtle refiners are apt to miss the true point of political wisdom, which consists in distinguishing justly between what is absolutely best in speculation, and what is the best of things practicable in particular conjunctures. The scheme, no doubt, was built on a manifest absurdity, and was liable

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to many inconveniencies, difficulties and dangers; but ſtill it was the utmoſt, that could be hoped for at that moment; and the ſingle conſideration, one would think, ſhould have been this; whether, united under ſuch an act of parliament, they would not have oppoſed the ſucceſſion of the duke of YORK, with leſs inconveniency, leſs difficulty and danger, than diſunited, and with the laws againſt them. The truth is, that as there were men at this time deſirous that the king ſhould be on deſperate terms with his parliament, becauſe they were ſo themſelves; in like manner, there were others, who deſired, for a reaſon of the ſame nature, that the parliament ſhould be on deſperate terms with the king. Theſe where factious intereſts, and they prevail'd againſt the national intereſt; which required that the king ſhould be ſeparated at any rate from his brother, inſtead of being united to him by a fear made common to both. But the dye was thrown; and the leaders of the whig-party were reſolved ‡ "to let all lye in "confuſion, rather than hearken to any thing, "beſides the excluſion." Obſtinacy provoked obſtinacy. The king grew obſtinate, and ſevere too, againſt his natural eaſineſs and former clemency of temper. The tory party

‡ BURN. hiſt.

party grew as obſtinate, and as furious on their ſide, according to a natural tendency in the diſpoſition of all parties; and thus the nation was deliver'd over, on the death of king * CHARLES "à la ſottiſe de ſon frere; "to the folly and madneſs of his brother."

IT was this folly and madneſs however, that cured the folly and madneſs of party. As the common danger approach'd, the impreſſions of terror, which it made, increaſed. Whig and tory then felt them alike, and were brought by them, as drunken men ſometimes are, to their ſenſes. The events of king JAMES's reign, and the ſteps, by which the revolution was brought about, are ſo recent and ſo well known, that I ſhall not deſcend into any particular mention of them. A few general remarks on the behaviour of this prince, and on the behaviour of parties, in his reign, and at the revolution, will be ſufficient to wind up the hiſtory of whig and tory, and to prove what I have ſo often aſſerted, that both ſides purged themſelves, on this great occaſion, of the imputations laid to their charge by their adverſaries; that the proper and real diſtinction of the two parties expired at this æra, and that although their ghoſts have continued to haunt and divide us ſo many years afterwards, yet there neither is,

‡ An expreſſion uſed by king CHARLES on many occaſions.

is, nor can be any diviſion of parties at this time, reconcileable with common ſenſe, and common honeſty, among thoſe, who are come on the ſtage of the world, under the preſent conſtitution; except thoſe of churchmen and diſſenters; thoſe of court and country.

THE behaviour and conduct of king JAMES the ſecond would be ſufficient, if there was no other inſtance, and there are thouſands, to ſhew that as ſtrong prejudices, however got, are the parents, ſo a weak underſtanding is the nurſe of bigotry, and injuſtice, and violence and cruelty its offſpring. This prince was above fifty, when he came to the throne. He had great experience of all kinds; particularly of the temper of this nation, and of the impoſſibility to attempt introducing popery, without hazarding his crown. But his experience profited him not. His bigotry drew falſe concluſions from it. He flatter'd himſelf that he ſhould be able to play parties againſt one another, better than his brother had done; (which, by the way, was the leaſt of his little talents) and to compleat his deſigns by an authority, which was but too well eſtabliſh'd. He paſs'd, I think, for a ſincere man. Perhaps, he was ſo; and he ſpoke always with great emphaſis of the word of a king; and yet never was the meaneſt word ſo ſcandalouſly broken as his. In the debate in 1678, about the teſt,

when he got a proviſo put in for excepting himſelf, it has been advanced in print, and not denied that I know of, that ſpeaking with ‡ "great earneſtneſs and with tears in his "eyes, he ſolemnly proteſted that whatever "his religion might be, it ſhould only be a "private thing between god and his own "ſoul; and that no effect of it ſhould ever "appear in the government." At his acceſſion to the throne, in council firſt, and after that in full parliament, in the face of the nation, he made the ſtrongeſt declaration in favour of the conſtitution in church and ſtate, and took the moſt ſolemn engagements to defend and ſupport it. But bigotry burſt thro' all theſe cobwebs; for ſuch they are to men, tranſported by a religious delirium, who acquire a ſtrength, that thoſe, who are well, have not, and conſcientiouſly break all the obligations of morality. Theſe admirable diſpoſitions in the king were encouraged by the ſtate, in which his brother left and he found the nation, and by the complaiſance of the parliament, which he call'd ſoon after his acceſſion. They were confirm'd, and he was determined to pull off the maſk entirely, by the ill ſucceſs of the duke of MONMOUTH and the earl of ARGYL. Biſhop BURNET ſpeaks of this parliament very

‡ BURNET's Hiſt.

very indecently, and I think very untruly. They were neither men of parts, nor eſtates, according to him. The truth is, that the circumſtances, under which we were brought, by the factious proceedings of both parties, in the late reign, for and againſt the court, were ſuch as might perplex the beſt parts, and puzzle the heads even of the wiſeſt men. A profeſs'd, zealous papiſt, in full and quiet poſſeſſion of the throne, and, inſtead of any proviſion made, or any meaſures taken againſt him, the notion and the exerciſe of the prerogative eſtabliſh'd at an extravagant height, were ſuch circumſtances, as laid the nation almoſt at the mercy of the king. They therefore, who were the moſt determined not to part with either their religion, or their liberty, and yet had more to loſe in the fray than doctor BURNET, might be willing to look round them; to wait opportunities; and not undertake raſhly what can ſeldom be undertaken twice. It is impoſſible to believe that their confidence in the king's word was ſuch as they affected. But, like drowning men, who ſaw nothing elſe to catch at, they caught at a ſtraw. The duke of MONMOUTH's expedition into England and the earl of ARGYL's into Scotland, were ſo far from affording the nation any opportunity of mending their condition, that the declaration of the former might draw ſome of the

diſſenters to his ſtandard, as it did; but was calculated to drive the tory party, moſt of the whigs, and in ſhort the bulk of the people from him. The declaration of the latter was founded in the ſolemn league and covenant; and gave ſo much reaſon to apprehend that a revival of the ſame principles, and a renewal of the ſame tyranny was intended, that we cannot wonder it had no better an effect; though we lament the fate of a worthy and gallant man, whoſe crime was refuſing a teſt, that ſhould never have been impoſed on proteſtants and freemen, and who had been driven into theſe extreme reſolutions by a ſeries of unjuſt and tyrannical uſage.

THUS were theſe invaſions, in the very beginning of his reign, favourable in ſome reſpects to the deſigns of king JAMES. They fortified, in the minds of men, the jealouſies and fears, which had a few years before form'd the tory party; and diſpoſed them, by conſequence at leaſt, to keep meaſures and not break with the king. They gave him the pretence, which he ſeized very readily, of raiſing and keeping up a ſtanding army. But, in the event, they forwarded our deliverance from all the dangers, to which we were expoſed, under his government, by precipitating his attempts againſt our religion and liberty. The ſame day, that the news of the invaſion in Scotland

was

was communicated to the parliament here, the commons voted that great revenue, which they gave him, and gave him for life. After theſe invaſions were over, they voted a ſupply, which was intended for the charge of maintaining the additional forces. They offer'd to paſs a law for indemnifying his popiſh officers from the penalty they had incur'd; and to capacitate ſuch others as he ſhould name in a liſt to be given to the houſe. In ſhort, they ſuffer'd themſelves to be drawn to the brink of the precipice; but there they ſtop'd. They would neither give him the whole ſupply of 1,200,000l. which he aſk'd, nor ſanctify, by the authority of parliament, the practice of keeping up a ſtanding army in time of peace; but rejected the words moved for that purpoſe. They would neither repeal the teſt and penal laws; nor ſubmit to his diſpenſing, or ſuſpending, which was in effect a repealing power; that is, they would not caſt themſelves headlong down the precipice; and becauſe they would not, he quarrel'd with them, loſt the 700,000l, they had voted, rather then ſuffer them to ſit any longer; and never met them more.

THINGS haſten'd now to a deciſion. The king's deſigns were openly avow'd and deſperately puſh'd. The church of England oppoſed them, with the utmoſt vigour. The diſſenters were cajoled by the court;

and they, who had been ready to take arms againſt king CHARLES, becauſe he was unwilling to exclude his brother, and who had taken arms againſt this prince, ſince he was on the throne, became abettors of his uſurpations. It were eaſy to prove this, even by biſhop BURNET's account, as much as that is ſoften'd; and if the excuſes, which have been made for their ſilence againſt popery in this critical moment, or for their approving and encouraging the exerciſe of a diſpenſing power, are to be received, one may undertake to excuſe, on the ſame principles of reaſoning, all thoſe inſtances of miſconduct in the church party, which I have preſumed to cenſure ſo freely. But the truth is, theſe excuſes are frivolous. I could quote ſome, that are even burleſque. Let us reverence truth therefore, and condemn the diſſenters as frankly, on this occaſion, as we have condemn'd the members of the church of England on others.

THE revolution ſoon follow'd. Many of the moſt diſtinguiſh'd tories, ſome of thoſe, who carried higheſt the doctrines of paſſive obedience and non-reſiſtance, were engaged in it; and the whole nation was ripe for it. The whigs were zealous in the ſame cauſe; but their zeal was not ſuch as, I think, it had been ſome years before, a zeal without knowledge; I mean, that it was better temper'd,

per'd, and more prudently conducted. Though the king was not the better for his experience, parties were. Both ſaw their errors. The tories ſtop'd ſhort in the purſuit of a bad principle. The whigs reform'd the abuſe of a good one. Both had ſacrificed their country to their party. Both ſacrificed on this occaſion, their party to their country. When the tories and the whigs were thus coalited, the latter ſtood no longer in need of any adventitious help. If they did not refuſe the aſſiſtance of thoſe, who had weaken'd their cauſe more by the jealouſies and fears, to which they gave both occaſion and pretence, than they had ſtrengthen'd it by their numbers; yet they ſuffer'd them to have no influence in their councils, no direction of their conduct. The cauſe of liberty was no longer made the cauſe of a party, by being ſet on ſuch a bottom, and puſh'd in ſuch a manner, as one party alone approved. The revolution was plainly deſign'd to reſtore and ſecure our government, eccleſiaſtical and civil, on true foundations; and whatever might happen to the king, there was no room to ſuſpect any change of the conſtitution. There were ſome, indeed, concern'd in this great and glorious undertaking, who had obſtinately preſerved, or lightly taken up the republican and other whimſies, that reign'd in the days of uſurpation and confuſion. If they could have prevail'd

prevail'd, and it was no fault of theirs they did not, the coalition of parties had been broken; and inſtead of a revolution, we might have had a civil war; perhaps, not even that ſad chance for our religion and liberty. But this leaven was ſo near worn out, that it could neither corrupt, nor ſeem any longer to corrupt the maſs of the whig-party. The party never had been preſbyterians, nor republicans, any more than they had been quakers; any more than the tory party had been papiſts, when, notwithſtanding their averſion to popery, they were undeniably under the accidental influence of popiſh councils. But even the appearances were now rectified. The revolution was a fire, which purged off the droſs of both parties; and the droſs being purged off, they appear'd to be the ſame metal, and anſwer'd the ſame ſtandard.

I SHALL deliver my thoughts, on ſome other occaſion, concerning the diſputes, that aroſe about the ſettlement of the crown, after the revolution; and ſhew, if I do not very much deceive myſelf, that no argument can be drawn from thence againſt any thing I have advanced.

I am, ſir, &c.

LETTER

LETTER VI.

SIR,

THE ſlaviſh principles of paſſive-obedience and non-reſiſtance, which had ſculk'd perhaps in ſome old homily before king JAMES the firſt, but were talk'd, written and preach'd into vogue in that inglorious reign, and in thoſe of his three ſucceſſors, were renounced at the revolution by the laſt of the ſeveral parties, who declared for them. Not only the laity, but the clergy embraced and co-operated in the deliverance, which the prince of ORANGE brought them. Some of our prelates join'd to invite him over. Their brethren refuſed to ſign an abhorrence of this invitation. The univerſity of Oxford offer'd him their plate, and aſſociated for him againſt their king. In one word, the conduct of the tories, at this criſis, was ſuch as might have inclined a man to think they had never held reſiſtance unlawful, but had only differ'd with the whigs about the degree of oppreſſion, or of danger, which it was neceſſary to wait, in order to ſanctify reſiſtance. Now, it may appear at firſt a little ſtrange that theſe principles, which had always gone hand in hand with thoſe of the divine, hereditary, inde-

indefeaſible right of kings that were juſt as well founded in reaſon, in ſupport of which the example of the primitive chriſtians might be pompouſly cited, and to countenance which ſome texts of the bible might be piouſly ſtrain'd, would not keep their hold, and maintain their influence, as well as the others.

THIS attachment to hereditary right will appear the more ſtrange, if we conſider what regard was ſhewn, at this time, to the difficulties they, who had pawn'd themſelves, as it were, for the principle, would be under, when they came to concur in eſtabliſhing a ſettlement repugnant to it. That great and ſolemn reſolution, about the abdication of king JAMES, and the vacancy of the throne, might have been expreſs'd in terms much ſtronger and plainer than it was. I have heard there were perſons, who had a mind it ſhould be ſo; and who, more attach'd to the honour, that is the humour of party, than to the national intereſt, in this great event, would have turn'd this reſolution, as well as the declaration of the prince of ORANGE, to a more expreſs approbation of the whig, and a more expreſs condemnation of the tory tenets and conduct. But a wiſer and honeſter conſideration prevail'd. Inſtead of erecting the new government on the narrow foundations of party ſyſtems, the foundations of it were laid as wide, and made as comprehenſive, as they could be.

No

No man, I believe, at this time, thinks that the vote aſſerted too little; and ſurely there was no colour of reaſon on the ſide of thoſe, who cavil'd againſt it, at that time, for aſſerting too much.

THE diſputes about the words abdicate, or deſert, and about the vacancy of the throne, were in truth fitter for a ſchool than a houſe of parliament, and might have been expected in ſome aſſembly of pedants, where young ſtudents exerciſed themſelves in diſputation, but not in ſuch an auguſt aſſembly as that of the lords and commons, met in ſolemn conference upon the moſt important occaſion. The truth is that they, who form'd the oppoſition, were reduced to maintain ſtrange paradoxes; ſtranger, in my opinion than moſt of thoſe, which caſt ſo much ridicule on the ſtoics of old. Thus, for inſtance, they were forced to admit that an oppreſs'd people might ſeek their remedy in reſiſtance; for they had ſought it there themſelves; and yet they oppoſed making uſe of the only remedy, which could effectually ſecure them againſt returns of the ſame oppreſſion, when reſiſtance had put it in their power, as oppreſſion had given them a right to uſe this remedy. Surely this muſt appear a paradox, and a very abſurd one too, if we conſider that reſiſtance, in all ſuch caſes, is the mean, and future ſecurity the end; and that the former is impertinent, nay wicked in the higheſt degree, if it be not employ'd to ob-

obtain the latter. Thus again, the ſame men declared themſelves willing to ſecure the nation againſt the return of king JAMES to that throne, which he had abdicated; or, according to them, deſerted; nay, ſome of them were ready, if we may credit the anecdotes of that time, to proceed to ſuch extreme reſolutions, as would have been more effectual, than juſtifiable in the eyes of mankind; and yet they could not prevail on their ſcrupulous conſciences to declare the throne vacant. They had concur'd in the vote, that it was inconſiſtent with the laws, liberties and religion of England to have a papiſt rule over the kingdom. King JAMES had follow'd the pious example of SIGISMOND, who, not content to loſe the crown of Sweden himſelf for his religion, had carried his ſon away, that he might be bred a papiſt, and loſe it too; and yet they maintain'd, though they did not expreſly name him, that if the throne was then, or ſhould be at any time vacant of the father, it muſt be reputed inſtantaneouſly full of the ſon, upon the foundation of this ſilly axiom, that the king never dies. According to this law, and theſe politics, king JAMES and his ſucceſſors, to the twentieth generation, might have continued abroad, a race of royal exiles, preſerving their indefeaſible right to govern, but debar'd from the exerciſe of it; whilſt the nation continued, during all this time,

time, from century to century, under the dominion of regents, with regal authority, but without any regal right; an excellent expedient ſure to keep the monarchy in an hereditary ſucceſſion! But there remain'd none better, on the principles of theſe men; ſince the prince of ORANGE had committed the fatal overſight of neglecting to conquer the nation. His ſword would have cut the gordian knot of hereditary right, and they could have ſubmitted with ſafe conſciences to a conqueror. But to give the crown to a prince, though they had put the whole adminiſtration into his hands; which, by the way, was high treaſon, unleſs the throne was, what they deny'd it to be, actually vacant; to give the crown, I ſay, to a prince, who would not take it, when it was in his power to take it, without their conſent; to ſettle a new government by agreement and compact, when the glorious opportunity of eſtabliſhing it by force and conqueſt had been unhappily loſt; theſe were propoſitions, to which they could not conſent. King JAMES had violated the fundamental laws, which he had promiſed over and over and ſworn to maintain. He had ſhewn by his firſt eſcape, when nothing was more impoſed on him than to wait the reſolution of a free parliament, that he would renounce his crown rather

rather than ſubmit to ſecure effectually the obſervation of theſe laws. He had made a ſecond eſcape, which was voluntary as well as the firſt, and made on the ſame principle, againſt the intreaties of his friends, and the inſtigations of the ſame council as had directed his former conduct, and on a letter from the queen, claiming his promiſe to do ſo. Notwithſtanding all theſe reaſons, they, who maintain'd the hereditary right of our kings, reduced themſelves, and would have reduced their country, to the abſurd neceſſity of altering the conſtitution, under pretence of preſerving it. No king, except a STUART, was to reign over us. But we might eſtabliſh a doge, a lord archon, a regent; and thus theſe warm aſſertors of monarchy, refuſing to be ſlaves, contended to be republicans. Many more paradoxes of equal extravagance might be cited, which were advanced directly, or which reſulted plainly, from the arguments employ'd on one ſide of the queſtion in thoſe diſputes. But the inſtances I have cited may ſuffice for our preſent purpoſe, and may ſerve to ſhew that although difficulties, hard to ſolve in ſpeculation, or to remove in practice, will ariſe in the purſuit of the moſt rational principles; yet ſuch abſurdities as theſe can never ariſe, except from the moſt irrational, and always muſt ariſe from ſuch.

If

IF the perſons, who maintain'd this divine, hereditary, indefeaſible right of our kings, had thought fit to drop theſe principles, when they laid aſide thoſe of paſſive obedience and non-reſiſtance, and no tolerable reaſon can be given why they did not, their conduct would have been conſiſtent and uniform on this great occaſion; and this conſiſtency and uniformity would have been productive of great good, by taking away at once even the appearances of all political diviſion in the bulk of the nation. But whilſt they labour'd to reconcile their preſent conduct to their antient ſyſtem, they were true to neither. They had gone much farther than this would allow, and then they refuſed to go as far as the other required, in order to be ſafe, and therefore in order to be juſtify'd. They loſt every kind of merit; the chimerical merit of adhering to a ſet of ſilly principles; the real merit of ſacrificing their prejudices to the compleat deliverance of their country from the recent danger of popery and arbitrary power. Nay, they did worſe; for the miſchievous conſequences of their conduct were not hurtful to them alone, and at that time alone, but to the public, and even down to theſe times. They furniſh'd pretence to factions, who kept up a diviſion under the old names, when the differences were really extinguiſh'd by the conduct of both parties; becauſe the conduct of both parties was

no

no longer conformable to the principles imputed to them. The tories had no longer any pretence of fearing the deſigns of the whigs; ſince the whigs had ſufficiently purged themſelves from all ſuſpicion of republican views, by their zeal to continue monarchical government, and of latitudinarian ſchemes in point of religion, by their ready concurrence in preſerving our eccleſiaſtical eſtabliſhment, and by their inſiſting on nothing farther, in favour of the diſſenters, than that indulgence, which the church was moſt willing to grant. The whigs had as little pretence of fearing the tories; ſince the tories had purged themſelves, in the moſt ſignal manner, from all ſuſpicion of favouring popery, or arbitary power, by the vigorous reſiſtance they made to both. They had engaged, they had taken the lead in the revolution, and they were fully determined againſt the return of king JAMES. The real eſſences of whig and tory were thus deſtroy'd; but the nominal were preſerved, and have done ſince that time a good part of the miſchief, which the real did before. The oppoſition made to the ſettlement of the crown brought this about. An overcurious enquiry into the motives of this oppoſition would be a taſk too invidious for me to undertake. Something however may be ſaid upon it. We may ſay in general, without offence, that private ambition mingled itſelf

itſelf early in the great and national concerns of the revolution; and that it did ſo more, as the proſpect of a new ſettlement, and of the elevation of the prince of ORANGE approach'd. Expectations were raiſed; diſappointments were given, or foreſeen; and a variety of motives of the ſame kind began to influence very ſtrongly the conduct of the principal actors. Some endeavour'd to lay the foundations of their future fortune by demonſtrations of a perſonal attachment to the prince; which were carried on, I doubt a little too independently of the regard due to their country, in ſome caſes; particularly, if I miſtake not, in that of the declaration of rights, of which we may pronounce, and experience will juſtify us, that it was too looſe, too imperfect, and nothing leſs than proportionable to the importance of the occaſion, and the favourable circumſtances of the conjuncture. Others there were, who imagined that the ſhorteſt and ſureſt way for them to take, in purſuit of the ſame view, was to make themſelves conſiderable by oppoſition, to form a party, and maintain a ſtruggle for perſonal power, under the pretence and umbrage of principle. This was, without doubt, the motive of ſome particular leading men, and could not be, at leaſt at firſt, the motive of numbers. But there was another motive, which eaſily became that of numbers, becauſe it aroſe

out of a fund common to all men, the perverſity of human nature, according to an obſervation made in one of theſe letters. Whilſt the event of the prince of ORANGE's expedition was undecided, men remain'd under the full influence of their fears, which had determined them to act againſt their prejudices. But when the revolution was ſecure and theſe fears were calm'd, theſe prejudices reſumed, in ſome degree, their former power, and the more for being revived and encouraged by men of reputation and authority, who argued for ſome, and might as reaſonably have argued for all the errors, in contradiction to which moſt of them had acted, nay, and were ready to act. With ſuch views, and by ſuch means, were many brought, at this time, to entangle themſelves in a maze of inextricable abſurdities. Had they own'd candidly and fairly that their principles, as well as thoſe of the whigs, were carried too high in the former diſputes of parties, and that theſe principles could not be true, ſince they found themſelves actually in a ſituation, wherein it was not poſſible to act agreeably to them without manifeſt abſurdity, the diſtinction, as well as the difference, of whig and tory had been at an end. But contrary meaſures produced a contrary effect. They kept up the appearances, and they could keep up no more, of a whig and a tory party, and with theſe appearances

ances a great part of the old animosity. The two names were sounded about the nation; and men, who saw the same ensigns flying, were not wise enough to perceive, or not honest enough to own, that the same cause was no longer concern'd; but listed themselves on either side, as their prejudices at first, and their inclinations, or other motives, which arose in the progress of their contests, directed them afterwards; whigs very often under the tory standard; tories very often under the whig standard.

THIS general representation, which I have made of the state of parties at the revolution, is, I am verily persuaded, exactly just; and it might be supported by many particular proofs, which I chuse rather to suggest, than to mention. But if any doubt remains, let us analyse the several parties of that time a little more, reduce them to their first and real principles, and then prononnce whether we find the whig, or the tory party subsisting among them.

IN the first place then, there was a party, that concur'd in making the new settlement; a party, that prevail'd in parliament, and was by much the majority of the nation out of it. Were the whigs this majority? Was this party a whig party? No man will presume to affirm so notorious an untruth. The whigs were far from being this majority, and king JAMES must have died on the throne, if the tories had not concur'd to

place the prince of ORANGE there, in his ſtead. Was this party a tory party then? Certainly no. The whigs had been zealous in the ſame cauſe, and had contributed to make it ſucceſsful by their temper, as well as their zeal; by waiting the time of the tories, or rather the maturity of the conjuncture, and by moderating their principles and their conduct, in favour of that coalition, without which the revolution could have ſucceeded no more than the excluſion did. We find then here neither a whig, nor a tory party; for in coalitions of this kind, where two parties are melted, as it were, into one, neither of them can be ſaid, with truth and propriety, to exiſt.

THERE was another party directly oppoſite to this; a certain number of men, on whom the original taint, tranſmitted down from king JAMES the firſt, remain'd ſtill in the full ſtrength of its malignity. Theſe men adhered to thoſe principles, in the natural ſenſe and full extent of them, which the tories had profeſs'd. But yet, the tories having renounced theſe principles, or diſtinguiſh'd themſelves out of any obligation to obſerve them, this inconſiderable faction could not be deem'd the tory party, but received the name of jacobite with more propriety.

Two other parties there were at this time, form'd on one common principle, but widely different

different however, by the different conſequences they drew from it. The principle I mean is that contain'd in the diſtinction of a king de jure, and a king de facto. The famous ſtatute of HENRY the ſeventh authoriſed this diſtincton. The ſtatute was deſign'd principally, no doubt, for the advantage of the ſubjects, that they might be ſafe, whichever ſide prevail'd in an age, when the epidemical folly of fighting for different pretenders had ſpilt oceans of blood on the ſcaffold, as well as in the field; and yet the ſtatute was deſign'd for the ſervice of kings de facto too, and particularly of HENRY the ſeventh. The author of hereditary right aſſerted would have us believe otherwiſe; and yet ſurely nothing can be more evident than this, that if king HENRY the ſeventh's right had been as unqueſtionable as he ſuppoſes, and I preſume to deny that it was, yet he would have been declared a king de facto only, if the intrigues of the ducheſs of BURGUNDY, and the faction of YORK had ſucceeded, and conſequently this proviſion for the ſafety of his adherents, in that poſſible contingency, gave ſtrength to him, as it would have given ſtrength to any other prince, whilſt it attach'd his adherents to him by the apparent ſecurity it provided; for this author contends that it did not eſtabliſh a real ſecurity, and adviſes us to ſuſpend our judgment on the validity of this

this ſtatute, till we ſee what the opinion of parliament, or the judges, may be, whenever a king de jure ſhall diſpoſſeſs a king de facto. He refers us ad calendas græcas.

BUT there are two obſervations to be made to our preſent purpoſe on this ſtatute, which ſeem to me natural and plain. Firſt, it confounds in effect the very diſtinction it ſeems to make; ſince it ſecures alike, and, by ſecuring alike, authorizes alike thoſe, who adhere to the king de jure, and thoſe, who adhere to the king de facto, provided they adhere to the king in poſſeſſion. Secondly, it was contrived to hinder people, according to my lord BACON's ſenſe of it, "from buſying "themſelves in prying into the king's title, "and that ſubjects might not trouble them-"ſelves with enquiries into the juſtneſs of the "king's title, or quarrel." Now, upon the foundation of this diſtinction, and this ſtatute, thus underſtood, they, who demur'd on the ſettlement of the crown, at the revolution, might plauſibly, though I think very unreaſonably, reſolve neither to vote, nor act themſelves againſt thoſe maxims and principles, which they had entertain'd and profeſs'd, as maxims of law, and principles of the conſtitution, and yet reſolve to ſubmit ſincerely, and adhere faithfully to a new eſtabliſhment, when it was once made. But the other of the two parties I mention'd drew from the ſame principle, of diſtinguiſhing between a king

king de facto, and a king de jure, a very different concluſion. They acknowledged one king, and held their allegiance ſtill due to another. They bound themſelves by oath to preſerve a ſettlement, which they pretended themſelves in conſcience obliged to ſubvert. This was to juſtify perfidy, to ſanctify perjury, to remove the ſacred boundaries of right and wrong, and, as far as in them lay, to teach mankind to call good evil, and evil good.

SUCH were the three diviſions, into which men broke at the revolution, in oppoſing the ſettlement then made; whilſt the great body of the nation concur'd in it, and whig and tory form'd in reality but one party. The firſt of theſe diviſions continued, and became a faction in the ſtate; but made no proſelytes, and was worn out by time. The principle of the ſecond was wrong; but it could not be reputed dangerous, whilſt it laſted, and it ſeems to have been built on ſo narrow and ſlippery a foundation, that it did not continue long in force. I may be more bold in aſſerting this, ſince if we look back to the æra of the revolution, and to the times, which follow'd, we ſhall find among thoſe, who voted for a regent, not a king, on the abdication of king JAMES, ſome illuſtrious perſons, who ſerved king WILLIAM faithfully, who adhered inviolably to our new eſtabliſhment, and who have been diſtinguiſh'd

guiſh'd friends of the ſucceſſion, that hath now taken place. That there have been perſons, who deſerved to be rank'd under the third head, is too notorious to be deny'd; but I perſuade myſelf that this diviſion hath conſiſted always of a flux body. On one hand, it is ſcarce poſſible to believe that any number of men ſhould be ſo harden'd, as to avow to themſelves, and to one another, the acting and perſiſting to act on a principle ſo repugnant to every notion and ſentiment, that harbour in the breaſts of ſocial creatures. On the other, we know how the ſallies and tranſports of party, on ſome occaſions, can hurry even reaſonable men to act on the moſt abſurd, and honeſt men to act on the moſt unjuſtifiable principles, or both one and the other on no principle at all, according as the object, which the prevailing paſſion preſents to them, directs. This hath been the caſe of many, ſince the revolution, and there are ſome of all ſides, I believe, ſtill alive, ſure I am that there were ſome a few years ago, who know that no ſide is abſolutely unexceptionable in this reſpect.

I am, ſir, &c.

LETTER

LETTER IX.

SIR,

BUT whatever the ſtate of parties was at the revolution, and for ſome time afterwards, the ſettlement made at that time having continued, that ſtate of parties hath changed gradually, tho' ſlowly, and hath received at length, according to the neceſſary courſe of things, a total alteration. This alteration would have been ſooner wrought, if the attempt I have mention'd, to defend principles no longer defenſible, had not furniſh'd the occaſion and pretence to keep up the appearances of a tory, and a whig party. Some of thoſe, who had been call'd tories, furniſh'd this pretence. They, who had been call'd whigs, ſeized and improved it. The advantages to one ſide, the diſadvantages to the other, the miſchiefs to the whole, which have enſued, I need not deduce. It ſhall ſuffice to obſerve, that theſe appearances were the more eaſy to be kept up, becauſe ſeveral men, who had ſtood conſpicuous in oppoſition to one another before the revolution, continued an oppoſition, though not the ſame, afterwards. Freſh provocations were daily given, and freſh pretences for diviſion daily taken. Theſe conteſts were preſent;

ſent; they recall'd thoſe, that had paſt in the time of king CHARLES the ſecond; and both ſides forgot that union, which their common danger and their common intereſt had form'd at the revolution. Old reproaches were renew'd, new ones invented, againſt the party call'd whigs, when they were as complaiſant to a court as ever the tories had been; againſt the party call'd tories, when they were as jealous of public liberty, and as frugal of public money, as ever the whigs had been. Danger to the church, on one ſide, and danger to the ſtate, on the other, were apprehended from men, who meant no harm to either; for though diſſenters mingled themſelves on one ſide, and jacobites on the other, and notwithſtanding the leanings of parties in favour of thoſe, by whom they were abetted; yet is it a certain truth, that the ſtruggle was in the main for power, not principle; and that there was no formal deſign laid, on one ſide, to deſtroy the church, nor, on the other, the ſtate. The cavils, which may be made, and the facts, which may be cited, ſome of older, and ſome of freſher date, againſt what hath been here ſaid, do not eſcape me. Men of knowledge, and of cool and candid thought, will anſwer one, and account for the other, without my help; and I cannot reſolve, for the ſake of the paſſionate, nor even of the ignorant, to deſcend upon this ſubject into a greater detail.

I PASS to that, which is closer to my present purpose, and of more immediate use; and I say that as the natural dispositions of men are alter'd and form'd into different moral characters by education, so the spirit of a constitution of government, which is confirm'd, improved and strengthen'd by the course of events, and especially by those of fruitless opposition, in a long tract of time, will have a proportionable influence on the reasoning, the sentiments, and the conduct of those, who are subject to it. A different spirit and contrary prejudices may prevail for a time. But the spirit and principles of the constitution will prevail at last. If one be unnatural, and the other absurd, and that is the case in many governments, a vigorous exercise of power, signal regards, signal punishments, and variety of other secondary means, which in such constitutions are never wanting, will however maintain, as long as they are employ'd, both the spirit and the principles. But if the spirit and principles of a constitution be agreeable to nature, and the true ends of government, which is the case of the present constitution of the british government, they want no such means to make them prevail. They not only flourish without them, but they would fade and dye away with them. As liberty is nourish'd

and

and ſupported by ſuch a ſpirit and ſuch principles, ſo they are propagated by liberty. Truth and reaſon are often able to get the better of authority in particular minds; but truth and reaſon, with authority on their ſide, will carry numbers, bear down prejudices, and become the very genius of a people. The progreſs they make is always ſure, but ſometimes not obſervable by every eye. Contrary prejudices may ſeem to maintain themſelves in vigour, and theſe prejudices may be kept up long by paſſion and by artifice. But when truth and reaſon continue to act without reſtraint, a little ſooner, or a little later, and often when this turn is leaſt expected, the prejudices vaniſh at once, and truth and reaſon triumph without any rival.

THE conſtitution of England had been ſeen in two very different lights, for almoſt a century before the revolution; ſo that there is no room to be ſurpriſed at the great oppoſition, that appear'd (when the whig and tory parties aroſe a very few years before that æra) between principles, which, as oppoſite as they were, each ſide pretended to eſtabliſh on the nature of one and the ſame conſtitution. How this happen'd, hath been often hinted, and I have not here room to explain any farther. Let us be ſatisfy'd that it is no longer the caſe. Our conſtitution is no longer a myſtery; the power of the crown is now exactly limited; the chi-

mæra

mæra of prerogative removed; and the rights of the ſubject are no longer problematical, though ſome things neceſſary to the more effectual ſecurity of them may be ſtill wanting. Under this conſtitution, the greateſt part of the men now alive were born. They lie under no pretence of obligation to any other, and to the ſupport of this they are bound by all the ties of ſociety, and all the motives of intereſt.

LET us prove what we advance; and that we may do ſo ad homines, let us borrow our argument from the great champion of hereditary right. Having mention'd in his introduction what he endeavours pompouſly, but vainly, to eſtabliſh in his book, in favour of "hereditary right, a preſcription of nine "centuries, a continual claim of five hun-"dred and fifty years," he attempts to convince us by a novel law, and a modern conſtitution. This modern conſtitution is the act of recognition, in the firſt of king JAMES the firſt. The declarations there made, in favour of hereditary right, are no doubt as ſtrong as words can frame, and the words are ſuch as would tempt one to think, by the fuſtian they compoſe, that his majeſty himſelf had pen'd them. From hence it is concluded that ſince "the vows and "acts of fathers—bind their poſterity—this "act, till the ſociety hath revoked it law-"fully, lays the ſame obligation on every member

" member of the ſociety; as if he had per-
" ſonally conſented to it." If this act then was lawfully revoked, or repeal'd, another novel law, contrary to it, might be made equally binding; but neither this act, nor the act of the twelfth of CHARLES the ſecond, affirming the crown to appertain by juſt and undoubted right to the king, his heirs and lawful ſucceſſors, having been expreſly repeal'd, we ſtill lye under the ſame obligations, and every ſettlement, contrary to them, and by conſequence the ſettlement made at the revolution, is unlawful. Now I aſk, was not the will of HENRY the eighth, which excluded the whole ſcotiſh line, made in purſuance, and by the authority of an act paſs'd in the 25th year of his reign? Hath not this author juſtify'd the validity of this will, much to his own ſatisfaction, and, I believe, to that of his readers? Was this will lawfully revoked? Was this ſtatute expreſly repeal'd? I aſk farther, whether hereditary right, and the obligations of ſubjects to it, could be made immutable and eternal, as this author aſſerts that they were by the act of recognition, without a manifeſt contradiction to the act of queen ELIZABETH, which declares the power of parliament to limit and bind the ſucceſſion to the crown? Was this act expreſly repeal'd? That king JAMES the firſt ſucceeded lawfully againſt law, our author is fond to maintain, and the propoſition

propoſition is not unlike that of ſome popiſh caſuiſts, who aſſert that his holineſs " Jure " poteſt contra jus decernere, can decree " rightfully againſt right;" but if theſe queſtions are fairly anſwer'd, it will reſult from ſuch anſwers, and from the arguments I have quoted, that this novel law, this modern conſtitution, is a meer illuſion; that it never bound any member of the ſociety; and that the parliament had as much right to make the ſettlement in 1688, notwithſtanding the act of recognition, as the parliament had to make this act in 1603, notwithſtanding the two acts I have mention'd, and the will of HENRY the eighth, made by virtue of the firſt of them. This wayward and forlorn hereditary right muſt therefore fall to the ground, or be ſupported by the ſuppoſed preſcription of nine centuries, and claim of five and a half, which no intelligent man, who reads this book, will be perſuaded that the author hath proved a jot better, than the uninterrupted ſucceſſion of popes, from St. PETER down to his preſent holineſs, is proved by the learned antiquaries of Italy. If this act of recognition be urged, as it ſometimes is, to ſhew the declared ſenſe of the three eſtates of the kingdom, which declaration was obtain'd, it ſeems, in an hurry, ſince the act was read three times in one houſe the ſame day; the declared ſenſe of the three eſtates, not pronounced

nounced in an hurry, but after the moſt ſolemn debates and conferences, may be urged with much greater weight, in favour of our preſent ſettlement. If this act of recognition, notwithſtanding what hath been objected, be urged as a law, which had the aſſent of a king, in oppoſition to the proceedings of the convention, by which king WILLIAM and queen MARY were raiſed to the throne; the anſwer is obvious and concluſive. The circumſtances of the two caſes are very different; but when they come to be weigh'd in a fair balance, thoſe, which attended the ſettlement of the crown on the revolution, will be found at leaſt as conformable to reaſon, to law, and to practice, as thoſe, which attended the eſtabliſhment of the STUART family. Queen ELIZABETH deſign'd king JAMES the firſt to be her ſucceſſor; the nation concur'd to make him ſo; neither ſhe nor they paid any regard to the law, which ſtood in his way. Their reaſons for acting in this manner are eaſy to be diſcover'd in the hiſtory of that time; and on the ſame authority we may certainly conclude, that they would not have acted in this manner, if king JAMES had been, like his mother, a profeſs'd papiſt. Thus he got into the throne, and when he was there, he got like other kings, ſuch a title, as he choſe to ſtand upon, agnized, or recognized, by his parliament. The ſettlement

ment at the revolution was made by a convention of the lords ſpiritual and temporal, and a full and free repreſentative of the whole body of the people. WHEN king WILLIAM and queen MARY were once ſettled on the throne, this ſettlement was continued and confirm'd by an aſſemblage of all the legiſlative powers. He, who will diſpute the validity of theſe proceedings, muſt ſhew therefore firſt of all, what hath never yet been ſhewn, (no, not by the author I have ſo often quoted) the invalidity of the proceedings of thoſe parliaments, which raiſed EDWARD the third, and HENRY the fourth to the throne; which were call'd as irregularly, though by writs in the names of EDWARD the ſecond and RICHARD the ſecond, as it can be pretended that the convention was. He muſt ſhew the invalidity of the proceedings even of that aſſembly, by which CHARLES the ſecond was call'd home, till their proceedings became valid by a ſubſequent confirmation. He muſt ſhew farther, how any of the laws of the princes of the houſe of LANCASTER came to be conſtantly received and executed, a little better than the author of Hereditary right aſſerted hath done, by aſſuring us on his word that it was by the "ſufferance of EDWARD the "fourth and his ſucceſſors, and the approba-"tion of the people." He muſt account for the continuance in force of the laws of

RICHARD the third, and of HENRY the ſeventh, a little better than the ſame author does, by the deficiency of HENRY the ſeventh's title, (which, upon another occaſion, he magnifies; though upon this he affirms it to have been no better than that of RICHARD the third) and by the great reſpect of HENRY the eighth for his father. When this hath been once ſhewn, it will be time to think of a reply. In the mean while, we will obſerve that beſides the paſſion and party-ſpirit, which poſſeſs almoſt all thoſe, who write on this ſubject, there is a diſtinction, which ſhould be conſtantly made in caſes of this nature, and which they never make, or never make exactly enough. They compare the proceedings without comparing the ſituations. Neceſſity and ſelf-preſervation are the great laws of nature, and may well diſpenſe with the ſtrict obſervation of the common forms of any particular conſtitution. Either the convention muſt have fallen into the abſurdities I have already mention'd; or have call'd back king JAMES, which would have been ſtill a greater abſurdity; or have left their country in abſolute anarchy; or have done what they did. What they did, was done as near as poſſible to the ſpirit of our conſtitution, the forms of our laws, and the examples of former times. They had the merit; their poſterity hath the benefit; nay he, who would

ſay

ſay that they had the guilt, not the merit, muſt ſtill allow that their poſterity hath the benefit, without ſharing the guilt; and, upon the whole matter, I ſhall venture to aſſert that he, who ſcruples, or pretends to ſcruple, at this time, the validity of our preſent conſtitution, is no wiſer, or elſe no honeſter, than he would be, who ſhould ſcruple, or pretend to ſcruple, the validity of magna charta. I have often wiſh'd that ſome profound antiquary, of much leiſure, would write an elaborate treatiſe to aſſert royal prerogative againſt the great charter, as well as hereditary right againſt the revolution. I am perſuaded that he would ſucceed alike in both. Why, indeed, ſhould a charter, extorted by force, and therefore vicious in its principle, ſtand on a better foot, or have more regard paid to it, than a ſettlement made in oppoſition to a divine, and therefore indefeaſible right? I ſay, and therefore indefeaſible; becauſe if it be not proved to be ſomething more than human, it will hardly be proved indefeaſible. But I quit this ſubject; upon which, perhaps, you may think I have ſpent my time as ill, as I ſhould have done, if I had preach'd againſt the Koran at Paul's. It is time to ſpeak of the motives of intereſt, by which we are bound, as well as by the ties of duty, to ſupport the preſent conſtitution.

UPON this head, a few words will be ſufficient; ſince I preſume that no prejudices can be ſtrong enough to create much diverſity of opinion, in a caſe ſo very clear, and capable of being ſtated ſo ſhortly. Whether the revolution alter'd our old conſtitution for the better, or renew'd it, and brought it back to the firſt principles, and nearer to the primitive inſtitution, ſhall not be diſputed here. I think the latter, and every man muſt think that one or the other was neceſſary, who conſiders, in the firſt place, how the majeſty and authority of the prince began to ſwell above any pitch, proportionable to the rank of chief magiſtrate or ſupreme head, in a free ſtate; by how many arts, the prerogative of the crown had been ſtretch'd, and how many precedents, little favourable to liberty, had been ſet, even before the acceſſion of the Scotiſh line; and who conſiders, in the next place, the direct tendency, confirm'd by experience, of thoſe principles of government, ſo frequently mention'd, which compoſed an avow'd ſyſtem of tyranny and eſtabliſh'd ſlavery as a political, a moral, and a religious obligation; which king JAMES the firſt was too ſucceſsful in eſtabliſhing; but neither he, nor his deſcendants were able to purſue. What theſe conſiderations made neceſſary, was done at the revolution; at leaſt, ſo far as to put it into our power to do the reſt. A ſpirit of liberty,

liberty, tranſmitted down from our Saxon anceſtors, and the unknown ages of our government, preſerved itſelf through one almoſt continual ſtruggle, againſt the uſurpations of our princes, and the vices of our people; and they, whom neither the PLANTAGENETS, nor the TUDORS could enſlave, were incapable of ſuffering their rights and privileges to be raviſh'd from them by the STUARTS. They bore with the laſt king of this unhappy race, till it was ſhameful, as it muſt have been fatal, to bear any longer; and whilſt they aſſerted their liberties, they refuted and anticipated, by their temper and their patience, all the objections, which foreign and domeſtic abettors of tyranny are apt to make againſt the conduct of our nation towards their kings. Let us juſtify this conduct, by perſiſting in it, and continue to ourſelves the peculiar honour of maintaining the freedom of our gothic inſtitution of government, when ſo many other nations, who enjoy'd the ſame, have loſt theirs.

IF a divine, indefeaſible, hereditary right to govern a community be once acknowledged, a right independent of the community, and which veſts in every ſucceſſive prince immediately on the death of his predeceſſor, and previouſly to any engagement taken on his part towards the people; if the people once acknowledged themſelves

bound to ſuch princes by the ties of paſſive-obedience and non-reſiſtance, by an allegiance unconditional, and not reciprocal to protection; if a kind of oral law, or myſterious cabala, which phariſees of the black gown and the long robe are always at hand to report and interpret, as a prince deſires, be once added, like a ſupplemental code, to the known laws of the land; then, I ſay, ſuch princes have the power, if not the right, given them, of commencing tyrants; and princes, who have the power, are prone to think that they have the right. Such was the ſtate of king and people before the revolution. By the revolution, and the ſettlement ſince made, this ſtate hath received conſiderable alterations. A king of Britain is now, ſtrictly and properly, what kings ſhould always be, a member, but the ſupreme member, or the head of a political body. Part of one individual, ſpecific whole, in every reſpect; diſtinct from it, or independent of it, in none; he can move no longer in another orbit from his people, and, like ſome ſuperior planet, attract, repel, influence, and direct their motions by his own. He and they are parts of the ſame ſyſtem, intimately join'd and co-operating together, acting and acted upon, limiting and limited, controuling and controul'd by one another; and when he ceaſes to ſtand in this relation to them, he ceaſes to ſtand in

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any. The ſettlements, by virtue of which he governs, are plainly original contracts. His inſtitution is plainly conditional; and he may forfeit his right to allegiance, as undeniably and effectually, as the ſubject may forfeit his right to protection. There are no longer any hidden reſerves of authority, to be let out on occaſion, and to overflow the rights and privileges of the people. The laws of the land are known, and they are the ſole ſprings, from whence the prince can derive his pretenſions, and the people theirs. It would be to no purpoſe to illuſtrate any farther a matter, which begins to be ſo well underſtood; or to deſcend into a more particular enumeration of the advantages, that reſult, or may reſult, from our preſent ſettlement. No man, who does not prefer ſlavery to liberty, or a more precarious ſecurity to a better, will declare for ſuch a government, as our national diviſions, and a long courſe, ſeldom interrupted, of improvident complaiſance to the crown, had enabled king JAMES the ſecond to eſtabliſh againſt ſuch a government as was intended by the ſubſequent ſettlement; and if there be any ſuch man, I declare that I neither write to him, nor for him.

I MAY aſſume therefore, without fearing to be accuſed of begging the queſtion, that the conſtitution, under which we now live,

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is preferable to that, which prevail'd at any time before the revolution. We are arrived, after many ſtruggles, after a deliverance almoſt miraculous, and ſuch an one as no nation hath reaſon to expect twice, and after having made ſome honeſt improvements on the advantages of our new conſtitution, very near to that full ſecurity, under which men, who are free and ſolicitous to continue ſo, may ſit down, not without watchfulneſs, (for that is never to be ſuffer'd to relax under ſuch a government as ours) but without anxiety. The ſum therefore of all theſe diſcourſes, and of all our exhortations to one another, is, and ought to be, that we ſhould not ſtop ſhort in ſo important a work. It was begun at the revolution; but he, who thinks it was perfected then, or hath been perfected ſince, will find himſelf very much miſtaken. The foundations were laid then. We proceeded for ſome time after that, like the Jews in rebuilding their temple; we carried on the holy work with one hand, and held our ſwords in the other to defend it. That diſtraction, that danger is over, and we betray the cauſe of liberty without any colour of excuſe, if we do not compleat the glorious building, which will laſt to ages yet remote, if it be once finiſh'd, and will moulder away and fall into ruins, if it remain longer in this imperfect ſtate.

Now,

Now, that we may ſee the better how to proceed in the cauſe of liberty, to compleat the freedom, and to ſecure the duration of our preſent conſtitution; it will be of uſe, I think, to conſider what obſtacles lye, or may hereafter lye, in our way, and of what nature that oppoſition is, or may hereafter be, which we may expect to meet. In order to this, let us once more analyſe our political diviſions; thoſe, which may poſſibly exiſt now, or hereafter, as we did thoſe, which were form'd at the revolution.

ONE poſſible diviſion then is that of men angry with the government, and yet reſolved to maintain the conſtitution. This may be the caſe at any time; under the preſent, wiſe, virtuous, and triumphant adminiſtration; and therefore to be ſure at any other.

A SECOND poſſible diviſion is that of men averſe to the government, becauſe they are ſo to the conſtitution, which I think can never be the caſe of many; or averſe to the conſtitution, becauſe they are ſo to the government, which I think may be the caſe of more. Both of theſe tend to the ſame point. One would ſubvert the government, that they might change the conſtitution. The other would ſacrifice the conſtitution, that they might ſubvert the government.

A THIRD poſſible diviſion, and I ſeek no more, is that of men attach'd to the government; or, to ſpeak more properly, to the perſons

perſons of thoſe, who govern; or, to ſpeak more properly ſtill, to the power, profit, or protection they acquire by the favour of theſe perſons; but enemies to the conſtitution.

Now, as to the firſt and ſecond of theſe poſſible diviſions, if there be any ſuch among us, I do not apprehend that we are at preſent, or can be hereafter, in much danger; or that the cauſe of liberty can meet with much oppoſition from them; though the ſecond have certainly views, more likely to bring ſlavery upon us, than to promote liberty; and though prudence requires that we ſhould be upon our guard againſt both. The firſt, indeed, might hope to unite even the bulk of the nation to them, in a weak and oppreſſive reign. If grievances ſhould grow intolerable under ſome prince as yet unborn; if redreſs ſhould become abſolutely deſperate; if liberty itſelf ſhould be in imminent peril; the nature of our conſtitution would juſtify the reſiſtance, that we ought to believe well enough of poſterity to perſuade ourſelves would be made in ſuch an exigency. But without ſuch an exigency, particular men would flatter themſelves extremely, if they hoped to make the nation angry, becauſe they were ſo. Private motives can never influence numbers. When a nation revolts, the injury is national. This caſe therefore is remote, improbable, nay impoſſible, under the lenity, juſtice and heroical

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ſpirit of the preſent government; and if I mention'd ſuch an imaginary party, it was only done that I might omit none, which can be ſuppoſed. The projects of the ſecond diviſion, ſtated in the ſame hypothetical manner, are ſurely too extravagant, and their deſigns too wicked to be dangerous. Diſputes may ariſe hereafter, in ſome diſtant time, about miniſters, perhaps about kings; but I perſuade myſelf that this conſtitution will be, as it ought to be always, diſtinguiſh'd from, and prefer'd to both, by the Britiſh nation. Reaſons muſt ariſe in proceſs of time, from the very nature of man, to oppoſe miniſters and kings too; but none can ariſe, in the nature of things, to oppoſe ſuch a conſtitution as ours. Better miniſters, better kings, may be hereafter often wanted, and ſometimes found; but a better conſtituted government never can. Should there be therefore ſtill any ſuch men, as we here ſuppoſe among us, they cannot expect, if they are in their ſenſes, a national concurrence; and ſurely a little reflection will ſerve to ſhew them, that the ſame reaſons, which make them weaker now than they were ſome years ago, muſt make them weaker ſome years hence than they are now.

As to the third diviſion, if any ſuch there be, it is in that our greateſt and almoſt our whole danger centers. The others cannot overthrow, but theſe may undermine our liberty.

liberty. Capable of being admitted into power, in all courts, and more likely than other men to be ſo in every court, except the preſent, (whoſe approved penetration and ſpotleſs innocence give a certain excluſion to them) they may prevent any farther ſecurities from being procured to liberty, till thoſe already eſtabliſh'd are diſſolved, or perverted. Since then our principal danger muſt in all times ariſe from thoſe, who belong to this diviſion, it is neceſſary to ſhew, before we conclude theſe diſcourſes, by what means ſuch men may carry on their pernicious deſigns with effect, and by what means they may be defeated. Theſe conſiderations will lead us to fix that point, wherein men of all denominations ought to unite, and do unite, and to ſtate the ſole diſtinction of parties, which can be made with truth, at this time, amongſt us.

I am, ſir, &c.

LETTER X.

SIR,

IT may be aſk'd, perhaps, how men, who are friends to a government, can be enemies at the ſame time to the conſtitution, upon which that government is founded. But the anſwer will be eaſy, if we conſider

conſider theſe two things; firſt, the true diſtinction, ſo often confounded in writing, and almoſt always in converſation, between conſtitution and government. By conſtitution we mean, whenever we ſpeak with propriety and exactneſs, the aſſemblage of laws, inſtitutions and cuſtoms, derived from certain fix'd principles of reaſon directed to certain fix'd objects of public good, that compoſe the general ſyſtem, according to which the community hath agreed to be govern'd. By government we mean, whenever we ſpeak in the ſame manner, that particular tenor of conduct, which a chief magiſtrate, and inferior magiſtrates, under his direction and influence, hold in the adminiſtration of public affairs. We call this a good government, when the execution of the laws, the obſervation of the inſtitutions and cuſtoms, in ſhort, the whole adminiſtration of public affairs is wiſely purſued, and with a ſtrict conformity to the principles and objects of the conſtitution. We call it a bad government, when it is adminiſter'd on other principles, and directed to other objects, either wickedly or weakly, either by obtaining new laws, which want this conformity, or by perverting old ones, which had it; and when this is done without law, or in open violation of the laws, we term it a tyrannical government. In a word, and to bring this home to our own caſe,

caſe, conſtitution is the rule, by which our princes ought to govern, at all times; government is that, by which they actually do govern, at any particular time. One may remain immutable; the other may, and as human nature is conſtituted, muſt vary. One is the criterion, by which we are to try the other; for ſurely we have a right to do ſo, ſince if we are to live in ſubjection to the government of our kings, our kings are to govern in ſubjection to the conſtitution; and the conformity, or non-conformity of their government to it, preſcribes the meaſure of our ſubmiſſion to them, according to the principles of the revolution, and of our preſent ſettlement; in both of which, though ſome remote regard was had to blood, yet the preſervation of the conſtitution manifeſtly determined the community to the choice then made of the perſons, who ſhould govern. Another thing to be conſider'd is this. When perſons are ſpoken of as friends to the government, and enemies to the conſtitution, the term friendſhip is a little proſtituted, in compliance with common uſage. Such men are really incapable of friendſhip; for real friendſhip can never exiſt among thoſe, who have baniſh'd virtue and truth. They have no affection to any but themſelves; no regard to any intereſt except their own. Their ſole attachments are ſuch as I mention'd in the laſt letter;

letter; attachments to power and profit, and when they have contracted a load of infamy and guilt, in the purſuit of theſe, an attachment to that protection, which is ſufficient to procure them appearances of conſideration, and real impunity. They may bear the ſemblance of affection to their prince and of zeal for his government; but they, who are falſe to the cauſe of their country, will not be true to any other; and the very ſame miniſter, who exalts his maſter's throne on the ruins of the conſtitution, that he may govern without controul, or retire without danger, would do the reverſe of this, if any turn of affairs enabled him to compound, in that manner, the better for himſelf.

UNDER a prince therefore tolerably honeſt, or tolerably wiſe, ſuch men as theſe will have no great ſway; at leaſt, they will not hold it long. Such a prince will know, that to unite himſelf to them, is to diſunite himſelf from his people, and that he makes a ſtupid bargain, if he prefers trick to policy, expedient to ſyſtem, and a cabal to the nation. Reaſon and experience will teach him that a prince, who does ſo, muſt govern weakly, ignominiouſly and precariouſly; whilſt he, who engages all the hearts, and employs all the heads and hands of his people, governs wirh ſtrength, with ſplendor, and with ſafety, and is ſure of riſing

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to a degree of abſolute power, by maintaining liberty, which the moſt ſucceſsful tyrant could never reach, by impoſing ſlavery. But how few men (and princes, by their leaves, are men) have been found in times paſt, or can be hoped for in times to come, capable of governing by ſuch arts as theſe? Some cannot propoſe the ends, nor ſome employ the means; for ſome are wicked, and ſome are weak. This general diviſion runs through the whole race of mankind; of the multitudes deſign'd to obey, and of the few deſign'd to govern. It was this depravity of multitudes, as well as their mutual wants, which obliged men firſt to enter into ſocieties; to depart from their natural liberty; and to ſubject themſelves to government. It was this depravity of the few, (which is often the greater, becauſe born no better than other men, they are educated worſe) which obliged men firſt to ſubject government to conſtitution, that they might preſerve ſocial, when they gave up natural liberty, and not be oppreſs'd by arbitrary will. Kings may have preceded lawgivers, for aught I know, or have poſſibly been the firſt lawgivers, and government by will have been eſtabliſh'd before government by conſtitution. THESEUS might reign at Athens, and EURYTION at Sparta, long before SOLON gave laws to one, and LYCURGUS to the other of theſe cities. Kings had

had govern'd Rome, we know, and conſuls had ſucceeded kings, long before the decemviri compiled a body of law; and the Saxons had their monarchs before EDGAR, though the Saxon laws went under his name. Theſe, and a thouſand other inſtances of the ſame kind, will never ſerve to prove, what my lord BACON would prove by them, * "that monarchies do not ſubſiſt, like other "governments, by a precedent law, or com- "pact; that the original ſubmiſſion to them "was natural, like the obedience of a child "to his parents; and that allegiance to he- "reditary monarchs is the work of the law "of nature". But that, which theſe examples prove very plainly is, that however men might ſubmit voluntarily in the primitive ſimplicity of early ages, or be ſubjected by conqueſt, to a government without a conſtitution, yet they were never long in diſcovering that, † "to live by one man's will, be- "came the cauſe of all men's miſery," and therefore they ſoon rejected the yoke, or made it ſit eaſy on their necks. They inſtituted commonwealths, or they limited monarchies; and here began that ſtruggle between the ſpirit of liberty and the ſpirit of dominion, which always hath ſubſiſted, and,

* Argum. in the caſe of Poſtnati.
† Hooker's Eccleſ. Pol. L. 1. Sect. 10.

that we may not flatter ourſelves, nor others, muſt always ſubſiſt, except in thoſe inſtances, of which the moſt antient hiſtories furniſh ſo few, in the reigns of a TITUS, or a TRAJAN; for it might look like flattery to quote the preſent moſt auſpicious reign.

To govern a ſociety of freemen by a conſtitution, founded on the eternal rules of right reaſon, and directed to promote the happineſs of the whole, and of every individual, is the nobleſt prerogative, which can belong to humanity; and if man may be ſaid, without profaneneſs, to imitate God in any caſe, this is the caſe. But ſure I am, he imitates the devil, who is ſo far from promoting the happineſs of others, that he makes his own happineſs to conſiſt in the miſery of others; who governs by no rule but that of his paſſions, whatever appearances he is forced ſometimes to put on; who endeavours to corrupt the innocent, and to enſlave the free; whoſe buſineſs is to ſeduce or betray; whoſe pleaſure is to damn; and whoſe triumph is to torment. Odious and execrable as this character is, it is the character of every prince, who makes uſe of his power to ſubvert, or even to weaken that conſtitution, which ought to be the rule of his government. When ſuch a prince fills a throne with ſuperior parts, liberty is in the utmoſt peril; nor does the danger diminiſh in proportion, if he happens to want them.

Such

Such men as we are now to ſpeak of, (friends to the government and enemies to the conſtitution) will be always at hand to ſupply his defects; for as they are the willing inſtruments of a wicked Prince, they are the ready prompters of a weak one. They may ſink into the maſs of the people, and diſappear in a good and wiſe reign, or work themſelves into power under falſe colours. "Sed genus immortale manet." Their race will continue as long as ambition and avarice prevail in the world, and there will be bad citizens as long as there are bad men. The good ought therefore to be always on their guard againſt them, and whatever diſguiſe they aſſume, whatever veils they caſt over their conduct, they will never be able to deceive thoſe long, who obſerve conſtantly the difference between conſtitution and government, and who have virtue enough to preſerve the cauſe of the former, how unprofitable ſoever it may be at all times, and how unpopular ſoever at ſome. But I ramble too long in generals. It is high time I ſhould come to thoſe particular meaſures, by which the men I have deſcribed are moſt likely to carry on their deſigns againſt our conſtitution; after which I ſhall ſay ſomething of the methods, by which alone their deſigns may be prevented, or will be defeated, if a national union oppoſe itſelf by ſuch methods as theſe, in time, to them.

Now, that I may do this the better, and make what I have to ſay the more ſenſibly felt, give me leave to ſuppoſe (though I ſpeak of a remote time, and ſuch an one as we ought to hope will never come) that our national circumſtances will be juſt the ſame as they are now; and our conſtitution as far diſtant as it now is from that point of perfection, to which the revolution ought to have brought it, might have brought it, and hath given the nation a right to expect that it ſhould be brought. The completion of that glorious deliverance is ſtill imperfect, after five and forty years, notwithſtanding the hopes then given, the engagements then taken, and the opportunities, that have ſince ariſen. How this hath happen'd, by what arts this juſtice to the conſtitution hath been hitherto evaded, ſometimes in favour of one government, and ſometimes in favour of another, might eaſily be ſhewn, and proved too, beyond contradiction. But I had rather exhort, than reproach; and eſpecially at a time, when a ſtrong tendency appears among men of all denominations to ſuch a national union, as will effectually obtain the compleat ſettlement of our conſtitution, which hath been ſo long delay'd, if it be honeſtly, prudently and vigorouſly improved.

IT is certain then, that if ever ſuch men as call themſelves friends to the government, but are real enemies of the conſtitution, prevail,

vail, they will make it a capital point of their wicked policy to keep up a ſtanding army. Falſe appearances of reaſon for it will never be wanting, as long as there are pretenders to the crown; though nothing can be more abſurd than to employ, in defence of liberty, an inſtrument ſo often employ'd to deſtroy it; though nothing can be more abſurd than to maintain that any government ought to make uſe of the ſame expedient to ſupport itſelf, as another government, on the ruins of which this government ſtands, was ſubverted for uſing; though nothing can be proved more manifeſtly by experience than theſe two propoſitions; that Britain is enabled, by her ſituation, to ſupport her government, when the bulk of her people are for it, without employing any means inconſiſtent with her conſtitution; and that the bulk of the people are not only always for the government, when the government ſupports the conſtitution, but are even hard and ſlow to be detach'd from it, when the government attacks, or undermines the conſtitution, and when they are by conſequence both juſtified in reſiſting, and even obliged in conſcience to reſiſt the government.

I HAVE heard it argued lately, that pretenders abroad are a ſecurity at home; and that a government, expoſed to their attacks, will never venture to attack the conſtitution. I have been told too, that theſe notions were

entertain'd by ſome, who drew many political conſequences from them at the revolution. But if any of thoſe perſons are ſtill alive, I perſuade myſelf that they have alter'd this Opinion, ſince ſuch a ſituation will furniſh, at all times, pretences of danger; ſince pretences of danger to a government, whether real or imaginary, will be always urged with plauſibility, and generally with ſucceſs, for obtaining new powers, or for ſtraining old ones; and ſince whilſt thoſe, who mean well to the government, are impoſed upon by thoſe, who mean ill to the conſtitution, all true concern for the latter is loſt in a miſtaken zeal for the former, and the moſt important is ventured to ſave the leaſt important, when neither one nor the other would have been expoſed, if falſe alarms had not been raſhly and too implicitly taken, or if true alarms had not given unneceſſary ſtrength to the government, at the expence of weakening the conſtitution.

NOTWITHSTANDING what hath been ſaid, I do not imagine that an army would be employ'd by theſe men, directly and at firſt, againſt the nation, and national liberty. I am far from thinking any men can ariſe, in future times, capable of attempting, in this manner, what ſome men in our age, who call themſelves friends to the government, have been ſo weak and ſo imprudent as to avow in print, and publiſh to the nation.

tion. To deſtroy Britiſh liberty with an army of Britons is not a meaſure ſo ſure of ſucceſs, as ſome people may believe. To corrupt the parliament is a ſlower, but might prove a more effectual method, and two or three hundred mercenaries in the two houſes, if they could be liſted there, would be more fatal to the conſtitution than ten times as many thouſands in red and in blue out of them. Parliaments are the true guardians of liberty. For this principally they were inſtituted; and this is the principal article of that great and noble truſt, which the collective body of the people of Britain repoſes in the repreſentative. But then no ſlavery can be ſo effectually brought and fix'd upon us, as parliamentary ſlavery. By the corruption of parliament, and the abſolute influence of a king, or his miniſter, on the two houſes, we return into that ſtate, to deliver us or ſecure us from which parliaments were inſtituted, and are really govern'd by the arbitary will of one man. Our whole conſtitution is at once diſſolved. Many ſecurities to liberty are provided; but the integrity, which depends on the freedom and the independency of parliament, is the key-ſtone, that keeps the whole together. If this be ſhaken, our conſtitution totters. If it be quite removed, our conſtitution falls into ruin. That noble fabric, the pride of Britain, the envy of her neighbours,

raiſed by the labour of ſo many centuries, repair'd at the expence of ſo many millions, and cemented by ſuch a profuſion of blood; that noble fabric, I ſay, which was able to reſiſt the united efforts of ſo many races of gyants, may be demoliſh'd by a race of pygmies. The integrity of parliament is a kind of palladium, a tutelary goddeſs, who protects our ſtate. When ſhe is once removed, we may become the prey of any enemies. No AGAMEMNON, no ACHILLES will be wanted to take our city. THERSITES himſelf will be ſufficient for ſuch a conqueſt. But I need not dwell any longer on this ſubject. There is no man, who thinks at all, can fail to ſee the ſeveral fatal conſequences, which will neceſſarily flow from this one ſource, whenever it ſhall be open'd. If the reaſon of the thing does not ſtrike him enough, experience muſt. The ſingle reign of HENRY the eighth will ſerve to ſhew that no tyranny can be more ſevere than that, which is exerciſed by a concert with parliament; that arbitrary will may be made the ſole rule of government, even whilſt the names and forms of a free conſtitution are preſerved; that for a prince, or his miniſter, to become our tyrant, there is no need to aboliſh parliaments; there is no need that he, who is maſter of one part of the legiſlature, ſhould endeavour to aboliſh the other two, when he can uſe, upon every occaſion,

occaſion, the united ſtrength of the whole; there is no need he ſhould be a tyrant in the groſs, when he can be ſo in detail, nor in name, when he can be ſo in effect; that for parliaments to eſtabliſh tyranny, there is no need therefore to repeal Magna Charta, or any other of the great ſupports of our liberty. It is enough, if they put themſelves corruptly and ſervilely under the influence of ſuch a prince, or ſuch a miniſter. On the whole, I conclude that, in the poſſible caſe here ſuppoſed, the firſt and principal object will be to deſtroy the conſtitution, under pretence of preſerving the government, by corrupting our parliaments. I am the better founded in concluding that this may happen in ſome future age, by what we may obſerve in our own. There is ſurely but too much reaſon to ſuſpect, that the enemies of our conſtitution may attempt hereafter to govern by corruption, when we hear and ſee the friends and advocates of our preſent moſt incorrupt miniſter harrangue and ſcribble, in favour of corruption; when it is pleaded for and recommended, as a neceſſary expedient of government, by ſome men of all ranks and orders; not only by profeſs'd hirelings, who write that they may eat; but by men, who have talk'd and written themſelves already out of their native obſcurity and penury, by affecting zeal in the cauſe of liberty; not only by ſuch

as

as theſe, but by men, whoſe birth, education and fortune aggravate their crime and their folly; by men, whom honour at leaſt ſhould reſtrain from favouring ſo diſhonourable a cauſe; and by men, whoſe peculiar obligations to preach up morality ſhould reſtrain them, at leaſt, from being the preachers of an immorality, above all others, abominable in its nature, and pernicious in its effects.

Theſe men are ready, I know, to tell us, that the influence they plead for is neceſſary to ſtrengthen the hands of thoſe, who govern; that corruption ſerves to oil the wheels of government, and to render the adminiſtration more ſmooth and eaſy; and that it can never be of dangerous conſequence, under the preſent father of our country. Abſurd and wicked triflers! according to them our excellent conſtitution (as one of your correſpondents hath obſerved extremely well) "is no better than a jumble of incom-
"patible powers, which would ſeparate and
"fall to pieces of themſelves, unleſs reſtrain'd
"and upheld by ſuch honourable methods
"as thoſe of bribery and corruption." They would prove, that the form of our government is defective to a degree of ridiculouſneſs. But the ridicule, as well as the iniquity, is their own. A good government can want no power, under the preſent conſtitution. A bad one may, and it is fit it ſhould.

Popularity is the expedient of one, and will effectually support it. Nothing but corruption can support the other. If there was a real deficiency of power in the crown, it ought to be supplied, no doubt. The old whimsies of prerogative should not be revived; but limitations ought to be taken off, or new powers to be given. The friends of liberty acknowledge, that a balance, of the powers, divided among the three parts of the legislature, is essential to our constitution, and necessary to support it. The friends of liberty therefore would concur, at least to a certain point, with the friends of the ministry; for the former are friends to order, and enemies to licence. For decency's sake therefore, let the debate be put on this issue. Let it be such a debate as freemen may avow, without blushing. To argue for this supposed deficiency of power in the crown, in favour of a scheme of government, repugnant to all laws divine and human, is such an instance of abandon'd, villanous prostitution, as the most corrupt ages never saw, and as will place the present age, with infamous preheminence, at the head of them; unless the nation do itself justice, and fix the brand on those, who ought alone to bear it. Thus much for the iniquity of the practice pleaded for. As to the danger of it, let us agree that a prince, of such magnanimity and justice as our present monarch, can never

never be tempted by any ſordid motives to forget the recent obligation, which he and his family have to the Britiſh nation, by whom they were made kings; nor to aim at greater power and wealth than are conſiſtent with the ſafety of the conſtitution they are entruſted to preſerve, and obliged to ſecure. Allowing this to be our preſent caſe, (and concerning our preſent caſe, there are not two opinions, I dare ſay, in the whole nation) yet ſtill the ſymptoms I have mention'd ſhew that the poiſon, with which theſe pretended friends of the government, and real enemies of the conſtitution, corrupt the morals of mankind, hath made ſome progreſs; and if this progreſs be not immediately check'd by proper antidotes, and the power of poiſoning taken from theſe empiricks, the diſeaſe will grow incurable. The laſt diſmal effect of it may not, or, if you pleaſe, cannot happen in this reign; but it may, nay it muſt happen in ſome other, unleſs we prevent it effectually and ſoon; and what ſeaſon more proper to prevent it in, and to compleat the ſecurity of our liberties, than the reign of a prince, for whom the nation hath done ſo much, and from whom by conſequence the nation hath a right to expect ſo much? King WILLIAM deliver'd us from popery and ſlavery. There was wiſdom in his councils, and fortitude in his conduct. He ſteer'd through many difficulties

culties at home, and he fought our battles abroad; and yet thoſe points of ſecurity, which had been neglected, or not ſufficiently provided for, in the honey-moon of his acceſſion, were continually preſs'd upon him, during the whole courſe of his reign. The men, who preſs'd them, were call'd jacobites, tories, republicans, and incendiaries too, not from the throne indeed, but by the clamour of thoſe, who ſhew'd great indifference at leaſt for the conſtitution, whilſt they affected great zeal for the government. They ſucceeded however in part, and we enjoy the benefit of their ſucceſs. If they did not ſucceed in the whole; if the ſettlement neceſſary to ſecure our liberty, and therefore intended at the revolution, be not yet compleat; let us be perſuaded, and let us act on that perſuaſion, that the honour of compleating it was reſerved to crown the glories of the preſent reign. To finiſh the great work, which king WILLIAM began, of eſtabliſhing the liberties of Britain on firm and durable foundations, muſt be imputed an honour ſurely; and to whom can this honour belong more juſtly than to a prince, who emulates in ſo remarkable a manner all the other heroic virtues of his renown'd predeceſſor?

I am, ſir, &c.

LETTER

LETTER XI.

SIR,

IF it was poſſible for any man, who hath the leaſt knowledge of our conſtitution, to doubt in good earneſt whether the preſervation of public freedom depends on the preſervation of parliamentary freedom, his doubts might be removed and his opinion decided, one would imagine, by this ſingle, obvious remark; that all the deſigns of our princes againſt liberty, ſince parliaments began to be eſtabliſh'd on the model ſtill ſubſiſting, have been directed conſtantly to one of theſe two points; either to obtain ſuch parliaments as they could govern; or elſe to ſtand all the difficulties, and to run all the hazards of governing without parliaments. The means principally employ'd, to the firſt of theſe purpoſes, have been undue influences on the elections of members of the houſe of commons, and on theſe members, when choſen. When ſuch influence could be employ'd ſucceſsfully, they have anſwer'd all the ends of arbitrary will; and when they could not be ſo employ'd, arbitrary will hath been forced to ſubmit to the conſtitution. This hath been the caſe, not only ſince, but before that great change in the balance

balance of property, which began in the reigns of HENRY the ſeventh and HENRY the eighth, and carry'd a great part of the weight into the ſcale of the commons, which had lain before in the ſcale of the peers and clergy.

IF we look back as far as the cloſe of the XIVth century, (an æra pretty near to that, when parliaments received their preſent form) we ſhall find both theſe means employ'd by one of the worſt of our kings, RICHARD the ſecond. That he might obtain his will, which was raſh, he directed mandates to his ſheriffs (officers of the crown and appointed by the crown; for ſuch they were then, and ſuch they ſtill are) to return certain perſons nominated by himſelf; and thus he acquired an undue influence over the elections. In the next place, he obliged the perſons thus return'd, ſometimes by threats and terror, and ſometimes by gifts, to conſent to thoſe things, which were prejudicial to the realm; and thus he acquired an undue influence over the houſe of commons; ſo that upon the whole, the arbitrary will of a raſh, headſtrong prince, and the ſuggeſtions of his wicked miniſters, guided the proceedings of parliament, and became the law of the land. I might purſue obſervations of the ſame kind through ſeveral ſucceeding reigns; but to avoid lengthening theſe letters, which are grown perhaps too long already, let us deſcend

ſcend at once to the reign of king CHARLES the ſecond; for in that we ſhall find examples of all the means, which a court, that hath common ſenſe, and a prince, who will not ſet his crown on the caſt of a dye, can take to undermine the foundations of liberty, either by governing parliaments, or by governing without them.

Now the firſt attempt, of this kind, which king CHARLES made againſt the conſtitution, was this. He improved and managed the ſpirit of the firſt parliament he call'd, ſo as to render the two houſes obſequious to his will, almoſt in every caſe; and having got the TRIENNIAL BILL repeal'd, he kept the ſame parliament in being for many years by prorogations; which crept into cuſtom long before his time, but were ſtill a modern invention with reſpect to the primitive inſtitution of parliaments, and wholly repugnant to the antient practice. Thus he eſtabliſh'd a ſtanding parliament; which is, in the nature of it, as dangerous as a ſtanding army, and may become, in ſome conjunctures, much more fatal to liberty. When the meaſures of his adminiſtration grew too bad, and the tendency of them too apparent to be defended and ſupported, even in that parliament, and even by a party-ſpirit, he had recourſe to a ſecond attempt; that is, to corruption, and CLIFFORD firſt liſted a mercenary band of friends to the government

ment againſt the conſtitution. Let us obſerve on this occaſion, and as we paſs along, that a national party (ſuch a party as the court adopts, in contradiſtinction to ſuch a party as it creates) will always retain ſome national principles, ſome regard to the conſtitution. They may be tranſported, or ſurprized, during the heat of conteſt eſpecially, into meaſures of long and fatal conſequences. They may be carried on for a certain time, and to a certain point, by the luſts of vengeance and of power, in order to wreak one upon their adverſaries, and to ſecure the other to themſelves. But a national party will never be the inſtruments of compleating national ruin. They will become the adverſaries of their friends, and the friends of their adverſaries, to prevent it; and the miniſter, who perſiſts in ſo villainous a project, by what name ſoever he may affect to diſtinguiſh himſelf and his followers, will be found really at the head of a faction, not of a party. But the difference between one and the other is ſo viſible, and the boundaries, where party ceaſes and faction commences, are ſo ſtrongly mark'd, that it is ſufficient to point at them.

I RETURN therefore and obſerve, that when the ſpirit of party fail'd king CHARLES, and the corruption he employ'd proved ineffectual, he reſolved to govern for a time without parliaments, and to employ that

time, as ſoon as he had check'd the ſpirit of one party, by inflaming that of another, in garbling corporations. He had found by experience that it was impoſſible to corrupt the ſtream in any great degree, as long as the fountain continued pure. He apply'd himſelf therefore to ſpread the taint of the court in them, and to poiſon thoſe ſprings, from whence the health and vigour of the conſtitution flow. This was the third, the laſt, and by much the moſt dangerous expedient, employ'd by the friends of the government, in the reign of king CHARLES the ſecond, to undermine our liberties. The effect of it he did not live to ſee; but we may eaſily conjecture what it would have been.

THE uſe I make of what hath been here ſaid is this. The deſign of the revolution being not only to ſave us from the immediate attempts on our religion and liberty, made by king JAMES, but to ſave us from all other attempts, which had been made, or might be made, of the ſame tendency; to renew and ſtrengthen our conſtitution; * " to " eſtabliſh the peace, honour and happineſs of " theſe nations upon laſting foundations, and " to procure a ſettlement of the religion, and " of the liberties and properties of the ſub- " jects, upon ſo ſure a foundation, that there " might be no danger of the nation's relapſing

* See the prince of ORANGE's declaration.

" into

" into the like miſeries at any time hereaf-
" ter ;" this being, I ſay, the avow'd deſign of the revolution, and the nation having engaged in it on a confidence that all this would be effectually perform'd, the deſign of the revolution was not accompliſh'd, the benefit of it was not ſecured to us, the juſt expectations of the nation could not be anſwer'd, unleſs the freedom of elections, and the frequency, integrity, and independency of parliaments were ſufficiently provided for. Theſe are the eſſentials of Britiſh liberty. Defects in other parts of the conſtitution can never be fatal, if theſe are preſerved entire. But defects in theſe will ſoon deſtroy the conſtitution, though every other part of it ſhould be ſo preſerved. However it happen'd, the truth and notoriety of the fact oblige us to ſay, that theſe important conditions, without which liberty can never be ſecure, were almoſt wholly neglected at the revolution. The claim of right declares, indeed, that " elections ought to be free ; that freedom of " ſpeech and debates ought not to be im-
" peach'd or queſtion'd out of parliament ;
" and that parliaments ought to be held fre-
" quently." But ſuch declarations, however ſolemnly made, are nothing better than pompous trifles, if they ſtand alone ; productive of no good, and thus far productive of ill, that they ſerve to amuſe mankind, in points of the greateſt importance, and wherein it

concerns them the moſt nearly, neither to be deceived, nor ſo much as amuſed. Theſe were rights, no doubt, to which the nation had an indiſputable claim. But then they ought to have been more than claim'd, ſince they had been ſo often and ſo lately invaded. That they were not more than claim'd, that they were not effectually aſſerted and ſecured, at this time, gave very great and immediate diſſatisfaction; and they, who were called whigs in thoſe days, diſtinguiſh'd themſelves by the loudneſs of their complaints. Thus for inſtance, they inſiſted that there could be no * real ſettlement, nay that it was a jeſt to talk of ſettlement, till the manner and time of calling parliaments, and their ſitting, when called, were fully determined; and this, in order to prevent the practice of keeping one and the ſame parliament ſo long on foot, till the majority was corrupted by offices, gifts and penſions. They inſiſted that the aſſurances given at the revolution had led them to think that † the antient legal courſe of annually choſen parliaments would have been immediately reſtored; and the particular circumſtances of king WILLIAM, who had received the crown by gift of the people, and who had renew'd the original contract with the people,

* See Conſiderations concerning the ſtate of the nation, by Mr. HAMBDEN, publiſh'd in 1692.

† An enquiry, or a diſcourſe, &c. publiſh'd in 1693.

(which

(which are preciſely the circumſtances of the preſent royal family) were urged as particular reaſons for the nation to expect his compliance.

THE frequent ſitting of parliament was indeed provided for, indirectly and in conſequence, by the exigencies of the war, which ſoon follow'd the revolution. This war made annual ſupplies neceſſary; and, before it was over, the ſame neceſſity of annual ſeſſions of parliament came to be eſtabliſh'd, as it continues to this hour, by the great alteration made with relation to the public revenue. The whole public revenue had been the king's formerly. Parliamentary aids were, in thoſe days, extraordinary and occaſional; and things came to that paſs at laſt, that parliaments were more frequently, or more rarely convened, juſt as courts had more frequent, or more rare occaſions for ſuch ſupplies. But king WILLIAM began to be, and all our princes ſince him have continued to be, only proprietors for life of that part of the public revenue, which is appropriated to their civil-liſt; although they are entruſted ſtill with the management of the whole; and are even the ſtewards of the public creditors for that part, which is the private property of theſe creditors. This is the preſent ſtate, ſufficiently known, but neceſſary to be mention'd particularly on this occaſion; and this

muſt continue to be the ſtate; unleſs ſome prince ſhould ariſe hereafter, who being adviſed by a deſperate miniſter, abetted by a mercenary faction, ſupported by a ſtanding army, and inſtigated like RICHARD the ſecond, by the * raſhneſs of his own temper, may lay rapacious hands on all the funds that have been created, and by applying illegally what he may raiſe legally, convert the whole to his own uſe, and ſo eſtabliſh arbitrary power, by depriving at one ſtroke many of his ſubjects of their property, and all of them of their liberty. Till this happens, (and heaven forbid that it ſhould be ever attempted!) ſeſſions of parliament muſt be annually held, or the government itſelf be diſtreſs'd. But neither is this ſuch a direct and full ſecurity as the importance of the thing requires; nor does the ſecurity of our liberty conſiſt only in the frequent ſeſſions of parliament; but it conſiſts likewiſe in frequent new parliaments. Nay, it conſiſts ſo much more in this than in the other, that the former may tend, without the latter, even more than the diſcontinuance of parliaments, to the loſs of liberty. This was foreſeen by the wiſdom of our conſtitution. According to that, although it became in time (by the courſe of events, and inſenſible alterations) no longer neceſſary to call parliaments once, or even twice in a

* *Per immoderatam voluntatem.*

year, which had been the more antient practice, yet ſtill our kings continued under an incapacity of proceeding long in government, with any tolerable eaſe and ſafety to themſelves, without the concurrence and aſſiſtance of theſe aſſemblies. According to the ſame conſtitution, as parliaments were to be held, ſo they were to be choſen frequently; and the opinion, that the holding and continuance of parliaments depended abſolutely on the will of the prince, may be juſtly ranked amongſt thoſe attempts, that were made by ſome men to ſet the law, whilſt others endeavoured to ſet the goſpel, on the ſide of arbitrary power. This is the plain intent and ſcheme of our conſtitution, which provides that the repreſentatives of the people ſhould have frequent opportunities to communicate together about national grievances; to complain of them, and to obtain the redreſs of them, in an orderly, ſolemn, legal manner; and that the people ſhould have frequent opportunities of calling their repreſentatives to account, as it were, for the diſcharge of the truſt committed to them, and of approving, or diſapproving their conduct, by electing, or not electing them anew. Thus our conſtitution ſuppoſes that princes may abuſe their power, and parliaments betray their truſt; and provides, as far as human wiſdom can provide, that neither one, nor the other, may be able to do

ſo long, without a ſufficient controul. If the crown, indeed, perſiſts in uſurping on the liberty of the people, or in any other kind of mal-adminiſtration; and if the prince, who wears it, proves deaf, as our princes have ſometimes been, to the voice of his parliament and his people, there remains no remedy in the ſyſtem of the conſtitution. The conſtitution is broken by the obſtinacy of the prince, and the * "people "muſt appeal to heaven in this, as in all "other caſes, where they have no judge on "earth." Thus if a parliament ſhould perſiſt in abetting mal-adminiſtration, or any way give up thoſe liberties, which they were intruſted to maintain, no doubt can be made but that the people would be in the ſame caſe; ſince their repreſentatives have no more right to betray them, than their kings have to uſurp upon them; and by conſequence they would acquire the ſame right of appealing to heaven, if our conſtitution had not provided a remedy againſt this evil, which could not be provided againſt the other; but our conſtitution hath provided ſuch a remedy in the frequent ſucceſſion of new parliaments, by which there is not time ſufficient given to form a majority of the repreſentatives of the people into a miniſterial cabal; or by which, if this ſhould happen, ſuch a cabal muſt be ſoon broken. Theſe reflections

* LOCKE's Eſſay upon government, chap. 14.

and

and ſuch others, as they naturally ſuggeſt, are ſufficient to convince any thinking man, firſt, that nothing could make it ſafe, nor therefore reaſonable, to repoſe in any ſet of men whatſoever, ſo great a truſt as the collective body delegates to the repreſentative in this kingdom, except the ſhortneſs of the term, for which this truſt is deligated. Secondly, that every prolongation of this term is therefore, in its degree, unſafe for the people; that it weakens their ſecurity, and endangers liberty, by the very powers given for its preſervation. Thirdly, that ſuch prolongations expoſe the nation, in the poſſible caſe of having a corrupt parliament, to loſe the great advantage, which our conſtitution hath provided, of curing the evil, before it grows confirm'd and deſperate, by the gentle method of chuſing a new repreſentative, and reduce the nation by conſequence to have no other alternative than that of ſubmitting, or reſiſting; though ſubmiſſion will be as grievous, and reſiſtance much more difficult, when the legiſlature betrays its truſt, than when the king alone abuſes his power. Theſe reflections, I ſay, are ſufficient to prove theſe propoſitions; and theſe propoſitions ſet before us, in a very ſtrong light, the neceſſity of uſing our utmoſt efforts, that the true deſign of our conſtitution may be purſued as cloſely as poſſible by the re-eſtabliſhment of annual,

or

or at leaſt of triennial parliaments. But the importance of the matter, and the particular ſeaſonableneſs of the conjuncture, invite me to offer one conſideration more upon this head, which I think will not ſtrike the leſs for being obvious and plain. It is this. Should a king obtain, for many years at once, the ſupplies and powers which uſed to be granted annually to him; this would be deem'd, I preſume, even in the preſent age, an unjuſtifiable meaſure and an intolerable grievance, for this plain reaſon; becauſe it would alter our conſtitution in the fundamental article, that requires frequent aſſemblies of the whole legiſlature, in order to aſſiſt and controul too, the executive power, which is intruſted with one part of it. Now I aſk, is not the article, which requires frequent elections of the repreſentatives by the collective body of the people, in order to ſecure the latter againſt the ill conſequences of the poſſible weakneſs or corruption of the former, as fundamental an article, and as eſſential to the preſervation of our liberties, as the other? No man dares ſay that it is not; at leaſt no man, who deſerves our attention. The people of Britain have as good a right, and a right as neceſſary to be aſſerted, to keep their repreſentatives true to the truſt repoſed in them, and to the preſervation of the conſtitution, by the controul of frequent elections,

as

as they have to keep their kings true to the truſt repoſed in them, and to the preſervation of the conſtitution, by the controul of frequent ſittings of parliament. How comes it then to paſs, that we may obſerve ſo great a difference in the ſentiments of mankind, about theſe two caſes? Propoſe the firſt, there is no ſervile friend of government, who will not affect all that horrour at the propoſition, which every friend of the conſtitution will really feel. Propoſe the keeping up ſeptennial, nay the making decennial parliaments, the ſame friends of government will contend ſtrenuouſly for one, and by conſequence for both; ſince there can be no reaſon alledged for the firſt, which is not ſtronger for the laſt, and would not be ſtill ſtronger for a longer term. Theſe reaſons, drawn from two or three common-place topics of pretended conveniency and expediency, or of ſuppoſed tranquility at home, and ſtrength abroad, I need not mention. They have been mention'd by others, and ſufficiently refuted. But that, which may very juſtly appear marvellous, is this, that ſome men, I think not many, who are true friends of the conſtitution, have been ſtagger'd in their opinions, and almoſt ſeduced by the falſe reaſonings of theſe friends of government; though nothing can be more eaſy than to ſhew, from reaſon and experience, that conveniency, expediency, and domeſtic tranquility

quility may be, and in fact have been as well, nay better secured, under triennial, nay annual parliaments, than under parliaments of a longer continuance; and as for strength abroad, (that is, national credit and influence) it will depend on the opinion foreign nations have of our national dispositions, and the unanimity of our sentiments. It must be chiefly determined therefore by their knowledge of their real sense of the nation. Now that can appear no way so much as in the natural state of our constitution, by frequent elections; and when it does appear so, it must have another kind of effect, than the bare resolutions of a stale, ministerial parliament; especially if it happens, as it may happen in some future time, that the sense of the nation should appear to be different from the sense of such a parliament; and that the resolutions of such a parliament should be avowedly dictated by men, odious and hated, contemptible and contemn'd, both at home and abroad.

BUT in the supposition that some inconveniencies may arise by frequent elections; (which is only allow'd for argument's sake) are such inconveniencies, and the trifling consequences of them, to be set in the balance against the danger of weakening any one barrier of our liberty? Every form of government hath advantages and disad-

vantages

vantages peculiar to it. Thus abſolute monarchies ſeem moſt form'd for ſudden and vigorous efforts of power, either in attacking, or in defending; whilſt, in free conſtitutions, the forms of government muſt be neceſſarily more complicated and ſlow; ſo that in theſe, the ſame ſecrecy cannot be always kept, nor the ſame diſpatch always made, nor the ſame ſteadineſs of meaſures always purſued. Muſt all theſe forms, inſtituted to preſerve the checks and controuls of the ſeveral parts of the conſtitution on one another, and neceſſary by conſequence to preſerve the liberty of the whole, be abandon'd therefore, and a free conſtitution be deſtroy'd, for the ſake of ſome little conveniency, or expediency the more, in the adminiſtration of public affairs? No certainly. We muſt keep our free conſtitution, with the ſmall defects belonging to it, or we muſt change it for an arbitrary government, free perhaps from theſe defects, but liable to more and to worſe. In ſhort, we muſt make our option; and ſurely this option is not hard to be made, between the real and permanent bleſſings of liberty, diffuſed through a whole nation, and the fantaſtic and accidental advantages, which they, who govern not the body of the people, enjoy under abſolute monarchies. I will not multiply inſtances, though they crowd in upon me.

Two

Two councils were choſen annually at Rome, and the proconſular power in the government of provinces was limited to a year. Several inconveniencies aroſe, no doubt, from the ſtrict obſervation of this inſtitution. Some appear very plain in hiſtory; and we may aſſure ourſelves, that many arguments of conveniency, of expediency, of preſerving the tranquility of the city, and of giving ſtrength and weight to the arms and counſels of the commonwealth, were urged to prevail on the people to diſpenſe with theſe inſtitutions, in favour of POMPEY and of CÆSAR. What was the conſequence? The pyrates were extirpated, the price of corn was reduced, Spain was held in ſubjection, Gaul was conquer'd, the Germans were repulſed, Rome triumph'd, her government flouriſh'd; but her conſtitution was deſtroy'd, her liberty was loſt. The law of Habeas Corpus, that noble badge of liberty, which every ſubject of Britain wears, and by which he is diſtinguiſh'd ſo eminently, not from the ſlaves alone, but even from the freemen of other countries; the law of Habeas Corpus, I ſay, may be attended perhaps with ſome little inconveniencies, in time of ſedition and rebellion. The ſlow methods of giving money, and the ſtrict appropriations of it, when given, may be attended with ſome inconveniency likewiſe, in times of danger and in great exigencies of

of the ſtate. But who will plead for the repeal of the Habeas Corpus Act? or who would not preſs for the revival of it, if it ſtood ſuſpended for an indefinite, or even a long term? Who will ſay, that the practice of giving money without account, or paſſing notes of credit (by which the purſe of the people is taken out of the hands of thoſe, whom the people truſted, and put into the hands of thoſe, whom they neither did, nor would have truſted) who will ſay, that ſuch a deviation from thoſe rules of parliament, which ought to be deem'd ſacred and preſerved inviolate, may be eſtabliſh'd, or ſhould not be oppoſed by all poſſible means, if it was eſtabliſh'd?

IF all this be as clear as I imagine it is; if the objections to frequent elections of parliaments do not lye; or, ſuppoſing them to lye, if the danger on one ſide outweighs vaſtly the ſuppoſed inconveniency on the other; nay, if laws and inſtitutions, not more eſſential to the preſervation of liberty than this antient and fundamental rule of our conſtitution, be maintain'd; and if all men are forced to agree (even they, who wiſh them perhaps aboliſh'd) that they ought to be maintain'd, for the ſake of preſerving liberty; let me aſk again, how comes it to paſs that we obſerve ſo great a difference between the ſentiments and reaſonings of mankind about frequent ſeſſions of parliament,

ment, and frequent parliaments; about the caſe now before us, and all the others, that have been mention'd? The only manner, in which I can account for ſuch an inconſiſtency, is this. The ſight of the mind differs very much from the ſight of the body, and its operations are frequently the reverſe of the other. Objects at a diſtance appear to the former in their true magnitude, and diminiſh as they are brought nearer. The event, that created much aſtoniſhment, indignation, or terrour in proſpect, creates leſs and leſs, as it approaches, and by the time it happens, men have familiarized themſelves with it. If the Romans had been told, in the days of AUGUSTUS, that an emperor would ſucceed, in whoſe reign a horſe ſhould be made conſul, they would have been extremely ſurprized. I believe they were not ſo much ſurprized, when the thing happen'd; when the horſe was conſul and CALIGULA emperor. If it had been foretold to thoſe patriots at the revolution, who remember'd long parliaments, who ſtill felt the ſmart of them, who ſtruggled hard for annual, and obtain'd with much difficulty, at the end of five or ſix years, triennial parliaments, that a time would come, when even the term of triennial parliaments would be deem'd too ſhort, and a parliament, choſen for three years, would chuſe itſelf for four more, and entail ſeptennial

nial parliaments on the nation; that this would happen, and the fruits of their honeſt labours be loſt, in little more than twenty years; and that it would be brought about, whilſt our government continued on the foundations they had then ſo newly laid; if all this had been foretold at the Time I mention, it would have appear'd improbable and monſtrous to the friends of the revolution. Yet it hath happen'd; and, in leſs then twenty years, it is grown, or is growing, familiar to us. The uniform zeal and complaiſance of our parliaments for the crown, leave little room to apprehend any attempt to govern without them; or to make them do in one ſeſſion the work of ſeven; though this would be extremely convenient, no doubt, a great eaſe to future miniſters, and a great ſaving of expence and time to country gentlemen. But ſuppoſe, (for I deſire it may be remember'd that I reaſon hypothetically) a parliament, ſhould think fit to give, in the firſt ſeſſion, all the money, all the credit, and all the powers, neceſſary for carrying on the government, during ſeven years; and then let thoſe perſons, who will be ſhock'd at this ſuppoſition, and yet declare themſelves for ſeptennial parliaments, lay their hands on their hearts, and conſider whether ſuch an alteration of the conſtitution might not grow familiar to them, and even gain their ap-

probation. I think, it would do ſo. I am ſure, it might as reaſonably as the other. They would find the eaſe, in one caſe, of little attendance, as much as that of diſtant elections, in the other. The arguments of conveniency, expediency, public tranquility, and ſtrength to the government, would be juſt as well apply'd; and if the miniſters ſhould, by miracle, make no very exorbitant ill uſe of ſuch a ſituation, I doubt whether he, who ſhould plead for annual parliaments then, would be much better heard by the ſame perſons, than he who pleads for frequent elections of parliaments, is now. But let not the lovers of liberty, the friends of our conſtitution, reaſon in this manner. Let them remember that danger commences, when the breach is made, not when the attack is begun; that he, who neglects to ſtop the leak, as ſoon as it is diſcover'd, in hopes to ſave his ſhip by pumping, when the water guſhes in by violence, deſerves to be drown'd; and, to lay aſide figures of ſpeech, that our conſtitution is not, like the ſchemes of ſome politicians, a jumble of disjointed, incoherent whimſies, but a noble and wiſe ſyſtem, the eſſential parts of which are ſo proportion'd, and ſo intimately connected, that a change in one begets a change in the whole; that the frequent elections of parliament are as much an eſſential part of this ſyſtem, as the

frequent

frequent ſittings of parliament; that the work of the revolution is imperfect therefore, and our future ſecurity precarious, unleſs our antient conſtitution be reſtored, in this eſſential part; and that the reſtoration of it, in this part, is one of thoſe methods, by which alone the pernicious deſigns of ſuch men, as we have mention'd in a former letter, if any ſuch ſhould be ever admitted into power, (enemies to the conſtitution, under the maſk of zeal for the government) may be defeated.

I am, ſir, &c.

LETTER XII.

SIR,

WE have obſerved already, that the conſtitution of the Britiſh government ſuppoſes our kings may abuſe their power, and our repreſentatives betray their truſt; and provides againſt both theſe contingencies, as well as human wiſdom can provide. Here let us obſerve, that the ſame conſtitution is very far from ſuppoſing the people will ever betray themſelves; and yet this caſe is poſſible, no doubt. We do not

read, I think, of more than * one nation, who refuſed liberty, when it was offer'd to them; but we read of many, and have almoſt ſeen ſome, who loſt it through their own fault, by the plain and neceſſary conſequences of their own conduct, when they were in full poſſeſſion of it, and had the means of ſecuring it effectually in their power. A wiſe and brave people will neither be cozen'd, nor bully'd out of their liberty; but a wiſe and brave people may ceaſe to be ſuch; they may degenerate; they may ſink into ſloth and luxury; they may reſign themſelves to a treacherous conduct; or abet the enemies of the conſtitution, under a notion of ſupporting the friends of the government; they want the ſenſe to diſcern their danger in time; or the courage to reſiſt, when it ſtares them in the face. The TARQUINS were expell'd, and Rome reſumed her liberty. CÆSAR was murder'd, and all his race extinct; but Rome remain'd in bondage. From whence this difference? † MACHIAVEL ſhall account for it. In the days of TARQUIN the people of Rome were not yet corrupted. In the days of CÆSAR, they were moſt corrupt. A free people may be ſometimes betray'd; but no people will be-

* The Cappadocians, vid. STRABO. Lib. 12. Libertatem repudiaverunt, ut quam ſibi dicerent intolerabilem.

† Diſcourſes, Lib. 1. c. 17.

tray

tray themſelves, and ſacrifice their liberty, unleſs they fall into a ſtate of univerſal corruption; and when they are once fallen into ſuch a ſtate, they will be ſure to loſe what they deſerve no longer to enjoy. To what purpoſe therefore ſhould our conſtitution have ſuppoſed a caſe, in which no remedy can avail; a caſe which can never happen, till the ſpirit, which form'd this conſtitution firſt, and hath preſerved it ever ſince, ſhall be totally extinguiſh'd; and till it becomes an ideal entity, like the Utopia, exiſting in the imagination, or memory, no where elſe? As all government began, ſo all government muſt end by the people; tyrannical governments by their virtue and courage, and even free governments by their vice and baſeneſs. Our conſtitution, indeed, makes it impoſſible to deſtroy liberty by any ſudden blaſt of popular fury, or by the treachery of a few; for though the many cannot eaſily hurt, they may eaſily ſave themſelves. But if the many will concur with the few; if they will adviſedly and deliberately ſuffer their liberty to be taken away by thoſe, to whom they delegate power to preſerve it; this no conſtitution can prevent. God would not ſupport even his own theocracy againſt the concurrent deſire of the children of Iſrael, but gave them a king in his anger. How then ſhould our human conſtitution of government ſupport itſelf a-

gainſt ſo univerſal a change, as we here ſuppoſe, in the temper and character of our people? It cannot be. We may give ourſelves a tyrant in our folly, if we pleaſe. But this can never happen, till the whole nation falls into a ſtate of political reprobation. Then, and not till then, political damnation will be our lot.

LET us deſcend into a greater detail, in order to develope theſe reflections fully, and to puſh the conſequences of them home to ourſelves, and to our preſent ſtate. They deſerve our utmoſt attention, and are ſo far from being foreign to the ſubject of theſe eſſays upon parties, that they will terminate in the very point at which we began, and wind up the whole in one important leſſon.

TO proceed then; I ſay, that if the people of this iſland ſhould ſuffer their liberties to be at any time raviſh'd, or ſtolen from them, they would incur greater blame, and deſerve by conſequence leſs pity, than any enſlaved and oppreſs'd people ever did. By how much true liberty (that is, liberty ſtated and aſcertain'd by law, in equal oppoſition to popular licence and arbitrary will) hath been more boldly aſſerted, more wiſely or more ſucceſsfully improved, and more firmly eſtabliſh'd in this, than in other countries; by ſo much the more heavy would our juſt condemnation prove in the caſe that is here ſuppoſed. The virtue of our anceſtors, to whom

all

all these advantages are owing, would aggravate the guilt and the infamy of their degenerate posterity. There have been ages of gold and of silver, of brass and of iron, in our little world, as in the great world, though not in the same order. In which of these ages we are at present, let others determine. This, at least, is certain, that in all these ages, Britain hath been the temple, as it were, of liberty. Whilst her sacred fires have been extinguish'd in so many countries, here they have been religiously kept alive. Here she hath her saints, her confessors, and a whole army of martyrs, and the gates of hell have not hitherto prevail'd against her; so that if a fatal reverse is to happen; if servility and servitude are to over-run the whole world, like injustice, and liberty is to retire from it, like ASTRÆA; our portion of the abandon'd globe will have, at least, the mournful honour, whenever it happens, of shewing her last, her parting steps.

THE antient Britons are to us the aborigines of our island. We discover little of them through the gloom of antiquity, and we see nothing beyond them. This however we know; they were freemen. CÆSAR, who visited them in an hostile manner, but did not conquer them, perhaps was * beaten by them; CÆSAR, I say, bestows very libe-

* Territa quæsitis ostendit terga Britannis.

rally the title of kings upon their chieftains, and the compilers of fabulous traditions deduce a ſeries of their monarchies from SAMOTHES, a cotemporary of NIMROD. But CÆSAR affected to ſwell the account of his expedition with pompous names; and theſe writers, like thoſe whom † STRABO mentions, endeavour'd to recommend themſelves by publiſhing romances to an ignorant generation, inſtead of hiſtories. Theſe ſuppoſed monarchs were the * heads of little clans; "reguli, vel melioris notæ nobiles;" and if our iſland knew any authority of the kingly ſort in thoſe days, it was that of occaſional and temporary monarchs, elected in great exigencies, ‖ "communi conſilio, ſuffragiis "multitudinis," like CASSIVELLAUNUS in Britain, or VERCINGETORIX in Gaul; for, in ſome caſes, examples taken from either of theſe people, will conclude for both. The kings, who have ruled in Britain, after the Romans abandon'd the iſland, in the beginning of the Vth century, held their authority from the people, and govern'd under the controul of national aſſemblies, as we have great reaſon to believe, and none to doubt. In ſhort, as far as we can look back, a lawleſs power, a government by will, never prevail'd in Britain.

† GEOG. Lib. 11.
* SEL. Anal. Anglo Brit. Lib. 2. cap. 3. Camd.
‡ CÆS. de Bell. Gal. Lib. 5. & 7.

THE

THE Saxons had kings, as well as the Britons. The manner in which they eſtabliſh'd themſelves, and the long wars they waged for and againſt the Britons, led to and maintain'd monarchical rule amongſt them. But theſe kings were in their firſt inſtitution, no doubt, ſuch as TACITUS deſcribes the German kings and princes to have been; * chiefs, who perſuaded, rather than commanded; and who were heard in the public aſſemblies of the nation, according as their age, their nobility, their military fame, or their eloquence gave them authority. How many doughty monarchs, in later and more polite ages, would have ſlept in cottages, and have work'd in ſtalls, inſtead of inhabiting palaces, and being cuſhion'd up in thrones, if this rule of government had continued in force? But the Saxon kings grew into power in time; and among them, as among other nations, birth, inſtead of merit, became, for the ſake of order and tranquility, a title to the throne. However, though theſe princes might command, and were no longer under the neceſſity of governing by perſuaſion, they were ſtill under that of governing to the ſatisfaction of the people. By what other expedient could they govern men, who were wiſe enough to preſerve and exerciſe the right of electing their civil magiſtrates, and military officers, and the

* De Situ Mor. & Pop. Germ. Lib. 11.

ſyſtem of whoſe government was upheld and carried on by a gradation of popular aſſemblies, from the inferior courts to the high court of parliament; for ſuch, or very near ſuch, was the Wittena-gemote in nature and effect, whenever the word parliament came into uſe?

THE firſt prince of the Norman race was an abſolute conqueror, in the opinion of ſome men; and I can readily agree, that he aſſumed, in ſome caſes, the power of a tyrant. But ſuppoſing all this to be true in the utmoſt extent, that the friends of abſolute monarchy can deſire it ſhould be thought ſo; this, and this alone, will reſult from it; unlimited, or abſolute monarchy, could never be eſtabliſh'd in Britain; no, not even by conqueſt. The rights of the people were ſoon re-aſſerted; the laws of the confeſſor were reſtored; and the third prince of this race, HENRY the firſt, covenanted in a ſolemn ſpeech to his people for their aſſiſtance againſt his brother ROBERT and the Normans, by promiſing that ſacred charter, which was in other reigns ſo often and ſo ſolemnly confirm'd by engaging to maintain his ſubjects in * their antient liberties, to follow their advice, and to rule them in peace with prudence and mildneſs.

* In antiquis veſtris libertatibus. Veſtris inclinando conſiliis. Conſultius & mitius, more manſueti principis. Vid. MAT. PAR.

I NEED

I NEED not deſcend into more particulars to ſhew the perpetuity of free government in Britain. Few men, even in this age, are ſo ſhamefully unacquainted with the hiſtory of their country, as to be ignorant of the principal events and ſignal revolutions, which have happen'd ſince the Norman æra. One continual deſign againſt liberty hath been carry'd on by various methods, almoſt in every reign. In many, the ſtruggles have been violent and bloody. But liberty ſtill hath triumph'd over force, over treachery, over corruption, and even under oppreſſion. The altars of tyranny have been demoliſh'd as ſoon as raiſed; nay, even whilſt they were raiſing; and the prieſts of that idol have been hew'd to pieces; ſo that I will affirm, without the leaſt apprehenſion of being diſproved, that our conſtitution is brought nearer than any other conſtitution ever was to the moſt perfect idea of a free ſyſtem of government. One obſervation only I will make, before I leave this head, and it is this. The titles of thoſe kings, which were precarious, from circumſtances of times, and notions that prevail'd, notwithſtanding the general acquieſcence of the nation to them, afforded ſo many opportunities to our anceſtors of better ſecuring, or improving liberty. They were not ſuch bubbles as to alter, without mending the government; much leſs to make revolutions,

lutions, and ſuffer by them. They were not ſuch bubbles as to raiſe princes to the throne, who had no pretence to ſit in it but their choice, purely to have the honour of bettering the condition of thoſe princes, without bettering their own in proportion. If what I have been ſaying appears a little too digreſſive from the main ſcope of this eſſay, I ſhall hope for indulgence from this conſideration, that the natural effect of ſuch reflections, as I have made and ſuggeſted, muſt be to raiſe in our minds the honeſt ambition of emulating the virtue and courage of our forefathers, in the cauſe of liberty; and to inſpire a reaſonable fear, heighten'd by ſhame, of loſing what they preſerved and deliver'd down to us, through ſo many mixtures of different people, of Britons with Saxons, of both with Danes, of all three with Normans, through ſo many difficulties, ſo many dangers, ſo many revolutions, in the courſe of ſo many centuries.

THERE is another reaſon to be given, why the people of this iſland would be more inexcuſeable than any other, if they loſt their liberty; and the opening and enforcing of this reaſon will bring us fully into our ſubject.

I SUPPOSED juſt now, that our liberty might be raviſh'd, or ſtolen from us, but I think that expreſſion muſt be retracted, ſince it will appear, upon due conſideration, that

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our liberty cannot be taken away by the force, or fraud alone of thoſe, who govern; it cannot be taken away, unleſs the people are themſelves accomplices; and they who are accomplices, cannot be ſaid to ſuffer by one, or the other. Some nations have received the yoke of ſervitude with little or no ſtruggle; but if ever it is impoſed upon us, we muſt not only hold out our necks to receive it; we muſt help to put it on. Now, to be paſſive in ſuch a caſe is ſhameful; but to be active is ſupreme and unexampled infamy. In order to become ſlaves, we of this nation muſt be beforehand, what other people have been render'd by a long courſe of ſervitude; we muſt become the moſt corrupt, moſt profligate, the moſt ſenſeleſs, the moſt ſervile nation of wretches, that ever diſgraced humanity; for a force ſufficient to raviſh liberty from us, ſuch as a great ſtanding army is in time of peace, cannot be continued, unleſs we continue it; nor can the means, neceſſary to ſteal liberty from us, be long enough employ'd with effect, unleſs we give a ſanction to their iniquity, and call good evil, and evil good.

IT may be ſaid, that even the friends of liberty have ſometimes different notions about it, and about the means of maintaining, or promoting it; and therefore, that even the Britiſh nation may poſſibly, ſome time

time or other, approve and concur in measures deſtructive of their liberty, without any intention to give it up, and much more without changing from the character, which they have hitherto borne amongſt the ſocieties of mankind, to that infamous character I have juſt now ſuppoſed. If this were true, it would only furniſh more reaſons to be always on our guard, to be jealous of every extraordinary demand, and to reject conſtantly every propoſition, though never ſo ſpecious, that had a tendency to weaken the barriers of liberty, or to raiſe a ſtrength ſuperior to theirs. But I confeſs I do not think we can be led blindfold ſo far as the brink of the precipice. I know that all words, which are ſigns of complex ideas, furniſh matter of miſtake and cavil. We diſpute about juſtice, for inſtance, and fancy that we have different opinions about the ſame thing; whilſt, by ſome little difference in the compoſition of our ideas, it happens that we have only different opinions about different things, and ſhould be of the ſame opinion about the ſame thing. But this, I preſume, cannot happen in the caſe before us. All diſputes about liberty in this country, and at this time, muſt be diſputes for and againſt the ſelf-ſame, fix'd and invariable ſet of ideas, whatever the diſputants on one ſide of the queſtion may pretend, in order to conceal what it is not yet

yet very ſafe to avow. No diſputes can poſſibly ariſe from different conceptions of any thing ſo clearly ſtated, and ſo preciſely determined, as the fundamental principles are, on which our whole liberty reſts.

IF liberty be that delicious and wholeſome fruit on which the Britiſh nation hath fed for ſo many ages, and to which we owe our riches, our ſtrength, and all the advantages we boaſt of; the Britiſh conſtitution is the tree that bears this fruit, and will continue to bear it, as long as we are careful to fence it in, and trench it round, againſt the beaſts of the field, and the inſects of the earth. To ſpeak without a figure, our conſtitution is a ſyſtem of government ſuited to the genius of our nation, and even to our ſituation. The experience of many hundred years hath ſhewn, that by preſerving this conſtitution inviolate, or by drawing it back to the principles on which it was originally founded, whenever it ſhall be made to ſwerve from them, we may ſecure to ourſelves, and to our lateſt poſterity, the poſſeſſion of that liberty, which we have long enjoy'd. What would we more? What other liberty than this do we ſeek? And if we ſeek no other, is not this mark'd out in ſuch characters, as he that runs may read? As our conſtitution therefore ought to be, what it ſeldom is, the rule of government; ſo let us make the conformity, or

repugnancy of things to this conſtitution, the rule, by which we accept them as favourable, or reject them as dangerous to liberty. They who talk of liberty in Britain on any other principles than thoſe of the Britiſh conſtitution, talk impertinently at beſt, and much charity is requiſite to believe no worſe of them. But they who diſtinguiſh between practicable and impracticable liberty, in order to inſinuate what they mean, (or they mean nothing) that the liberty eſtabliſh'd by the true ſcheme of our conſtitution is of the impracticable kind; and they, who endeavour, both in ſpeculation and practice, to elude and pervert the forms, and to ridicule and explode the ſpirit of this conſtitution; theſe men are enemies, open and avow'd enemies to it, and by conſequence to Britiſh liberty, which cannot be ſupported on any other bottom. Some men there are, the peſts of ſociety I think them, who pretend a great regard to religion in general, but who take every opportunity of declaiming publicly againſt that ſyſtem of religion, or at leaſt againſt that church eſtabliſhment, which is received in Britain. Juſt ſo the men, of whom I have been ſpeaking, affect a great regard to liberty in general, but they diſlike ſo much the ſyſtem of liberty eſtabliſh'd in Britain, that they are inceſſant in their endeavours to puzzle the plaineſt thing in the world, and

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to refine and diſtinguiſh away the life and ſtrength of our conſtitution, in favour of the little, preſent momentary turns, which they are retain'd to ſerve. What now would be the conſequence, if all theſe endeavours ſhould ſucceed? I am perſuaded that the great philoſophers, divines, lawyers and politicians, who exert them, have not yet prepared and agreed upon the plans of a new religion, and of new conſtitutions in church and ſtate. We ſhould find ourſelves therefore without any form of religion, or civil government. The firſt ſet of theſe miſſionaries would take off all the reſtraints of religion from the govern'd; and the latter ſet would remove, or render ineffectual, all the limitations and controuls, which liberty hath preſcribed to thoſe that govern, and disjoint the whole frame of our conſtitution. Entire diſſolution of manners, confuſion, anarchy, or perhaps abſolute monarchy, would follow; for it is poſſible, nay probable, that in ſuch a ſtate as this, and amidſt ſuch a rout of lawleſs ſavages, men would chuſe this government, abſurd as it is, rather than have no government at all.

BUT here again it may be ſaid, that as liberty is a word of uncertain ſignification, ſo is conſtitution; that men have taught the moſt oppoſite doctrines, and pretended at leaſt to build them on the principles of the

conſtitution; that the rule therefore of determining our notions of liberty, by the principles of our conſtitution, is no rule, and we are by conſequence juſt where we were before. But the anſwer is ready. It is true that there were formerly men, who perſiſted long in the attempt to talk and write that chimera, call'd prerogative, into vogue; to contend that it was ſomething real; a right inherent in the crown; founded in the conſtitution of our government; and equally neceſſary to ſupport the juſt authority of the prince, and to protect the ſubject. How we had like to have loſt our liberty by the prevalence of ſuch doctrines, by the conſequences drawn from them, and the practices built upon them, hath been touch'd in the deduction of the ſtate of parties. But happily this kind of progreſſion from a free to a ſlaviſh conſtitution of government was ſtopp'd at the revolution; and the notions themſelves are ſo exploded in the courſe of ſix and forty years, that they are entertain'd at this hour by no ſet of men, whoſe numbers, or importance, give them any pretence to be reckon'd among our national parties. It is as true, that there are now men, who purſue the very ſame deſign by different methods. The former attack'd, theſe undermine our liberty. The former were the beaſts of the field, hinted at above; theſe are the infects

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of the earth; and like other insects, though sprung from dirt, and the vilest of the animal kind, they can nibble and gnaw, and poison; and if they are suffer'd to multiply and work on, they can lay the most fruitful country waste. Corruption and dependency are their favourite topics. They plead for the first as a laudable expedient of government; and for the last, I mean corrupt, private dependency, as an essential part of our constitution. When they have perplex'd, as much as they are able, our ideas of dependency and independency; they reason, if I may give their sophisms so good a name, as if the independency of each part of the legislature, of the king particularly, arose from the dependency of the other parts on that part. Now, this is both false and absurd. It is false, because the constitutional independency of each part of the legislature arises from hence; that distinct rights, powers and privileges are assign'd to it by the constitution. But then this independency of one part can be so little said to arise from the dependency of another, that it consists properly and truly in the free, unbias's'd, uninfluenced, and independent exercise of these rights, powers and privileges, by each part, in as ample an extent as the constitution allows; or, in other words, as far as that point, where the constitution stops this free exercise, and submits the proceedings of

one part, not to the private influence, but to the public controul of the other parts. Before this point, the independency of each part is meant by the conſtitution to be abſolute. From this point the conſtitutional dependency of each part on the others commences. To talk of natural independency belonging to the kingly office, to an houſe of peers, or an houſe of commons (the inſtituti ons of art, not of nature) is impertinent. It is abſurd, becauſe it abſolutely deſtroys the very thing it is advanced to eſtabliſh; for if A's independency ariſes from the dependency of B, and B's independency from the dependency of A, then are A and B both dependent, and there is no ſuch thing as conſtitutional independency at all. The crown is the ſource of honours, and hath the diſpoſal of public employments. This no man diſputes; nor would any man, I believe, go about to alter. But will it follow that the * conſtitutional independency of the king would be loſt, becauſe the houſe of commons give the ſupplies, if he had not the power of giving part of this money, in places and penſions, back again to the members of that houſe? It would be eaſy for me to turn this whole profound reaſoning into many, even ridiculous lights; but the ſubject creates other ſentiments than thoſe of

* Vide London Jour. Sept. 28, 1734.

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mirth, though the logic employ'd about it reſerves a ludicrous, not a ſerious treatment. I aſk pardon for having ſaid ſo much upon ſo ſlight an occaſion, and I proceed.

Notwithſtanding all theſe endeavours to puzzle our conſtitution formerly, in favour of that prerogative, by the weight of which it muſt have been cruſh'd, and actually at this time in favour of that corruption and corrupt dependency, by which it would be ſoon demoliſh'd; the main principles of the Britiſh conſtitution are ſimple, and obvious, and fix'd, as well as any truths can be fix'd, in the minds of men, by the moſt determinate ideas. The ſtate of our conſtitution then affords an eaſy and unerring rule, by which to judge of the ſtate of our liberty. The improvement or decay of one, denotes the improvement or decay of the other; and the ſtrength or weakneſs of one, the ſafety or danger of the other. We cannot loſe our liberty, unleſs we loſe our conſtitution, nor loſe our conſtitution, unleſs we are accomplices to the violations of it; for this conſtitution is better fitted than any, ancient or modern, ever was, not only to preſerve liberty, but to provide for its own duration, and to become immortal, if any thing human could be ſo.

I am, SIR, &c.

LETTER XIII.

SIR,

MUCH hath been ſaid occaſionally, in the courſe of theſe letters, concerning the beauty and excellency of the Britiſh conſtitution. I ſhall make, however, no excuſe for returning to the ſame ſubject upon an occaſion, which introduces it ſo naturally, and indeed ſo neceſſarily. Nothing can be more oppoſite to the profeſs'd deſign of theſe writings; nothing of more real, and more preſent uſe. Let me ſpeak plainly. We have been all of us, thoſe of every ſide, and of every denomination, accuſtom'd too long to value ourſelves fooliſhly or knaviſhly, on our zeal for this, or that party, or for this, or that government; and to make a merit of ſtraining the conſtitution different ways, in order to ſerve the different purpoſes of each. It is high time we ſhould all learn, if that be ſtill poſſible, to value ourſelves in the firſt place on our zeal for the conſtitution; to make all governments, and much more all parties, bow to that, and to ſuffer that to bow to none. But how ſhall this conſtitution be known, unleſs we make it the ſubject of careful enquiry,

quiry, and of frequent and ſober reflection? Or unknown, how ſhall it become, what it ought to be, the object of our admiration, our love and our zeal? Many of thoſe, who reap the greateſt advantages from it, paſs it by unregarded, with equal folly and ingratitude. Many take a tranſient, inattentive view of it. Many again conſider it in part only, or behold it in a narrow, pedantic light. Inſtead of this, we ſhould view it often. We ſhould pierce through the form to the ſoul of it. We ſhould contemplate the noble object in all its parts, and in the whole; and render it as familiar to our intellectual ſight, as the moſt common ſenſible objects are to our corporeal ſight. * "Quam "illa ardentes amores excitaret ſui, ſi videre- "tur?" Well may it be allow'd me to apply to ſo glorious an effort of human wiſdom what TULLY ſays after PLATO, in the Phædrus, if I miſtake not, of wiſdom herſelf.

"All public regiment, ſays Mr. HOOKER, "hath ariſen from deliberate advice, conſul- "tation and compoſition between men." The propoſition is undoubtedly and univerſally true. It is as true in the kingdom of Morocco, as it is in the kingdom of Britain; and the undeniable conſequences, which flow from it, are obvious. We are not to wonder, however, if men do not look up to this

* Cic. de Finib. l. 2.

original of government, nor trace these consequences from it, in most countries. In the institution of governments, too great powers have been usually given, and too great confidence reposed, either at first, or in process of time. These powers have subsisted, have been confirm'd by more time, and increased by the very nature of power, which is the propereſt instrument of its own propagation. But the original composition, for want of being express'd, or sufficiently imply'd, or frequently recur'd to by the forms of the government, hath been forgot, or hath grown so obsolete, that they, whose interest required that no such thing should be believed, have thought themselves at liberty boldly to deny it; and not only so, but to suppose some other original of government. Strange systems of policy, and stranger of religion, have been devised to support and sanctify these usurpations. Education hath been set on the same side; and saucy authority hath prevail'd against the cleareſt light of nature, and the plaineſt dictates of common sense. No man, who hath read and look'd abroad into the world, and made a reasonable use of either, will think this too strange to be true; since there is no demonstrated truth (such truths I mean as are here spoken of) which may not be render'd, at least, very problematical by long, uniform, positive contradiction;

diction; nor any demonstrated lye, which may not be render'd probable to many, and certain to some, by long, uniform, positive affirmation; according to a just observation made by father PAUL somewhere or other, on occasion of CONSTANTINE's supposed grant, and other cheats of the court of Rome. But we of this country have been more happy. Our original contract hath been recur'd to often, and as many cavils as have been made, as many jests as have been broke about this expression, we might safely defy the assertors of absolute monarchy and arbitrary will, if there were any worth our regard, to produce any one point of time, since which we know any thing of our constitution, wherein the whole scheme of it would not have been one monstrous absurdity, unless an original contract had been supposed. They must have been blinded therefore by ignorance, or passion, or prejudice, who did not always see, that there is such a thing necessarily, and in the very nature of our constitution; and that they might as well doubt, whether the foundations of an antient solid building were suited and proportion'd to the elevation and form of it, as whether our constitution was establish'd by composition and contract. Sure I am, that they must be worse than blind, if any such there are, who do not confess at this time, and under the present settlement, that our constitution

tion is, in the ſtricteſt ſenſe, a bargain, a conditional contract between the prince and the people, as it always hath been, and ſtill is, between the repreſentative and collective bodies of the nation.

THAT this bargain may not be broken, on the part of the prince, with the people, (though the executive power be truſted to the prince, to be exerciſed according to ſuch rules, and by the miniſtry of ſuch officers, as are preſcribed by the laws and cuſtoms of this kingdom) the legiſlative, or ſupreme power, is veſted by our conſtitution in three eſtates, whereof the king is one, Whilſt the members of the other two preſerve their private independency, and thoſe eſtates are conſequently under no dependency, except that which is in the ſcheme of our conſtitution; this controul on the firſt will always be ſufficient; and a bad king, let him be as bold as he may pleaſe to be thought, muſt ſtand in awe of an honeſt parliament.

THAT this bargain may not be broken, on the part of the repreſentative body, with the collective body of the nation, it is not only a principal, declared right of the people of Britain, that the election of members to ſit in parliament ſhall be free; but it hath been a principal part of the care and attention of parliaments, for more than three hundred years, to watch over this freedom, and to

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ſecure it, by removing all influence of the crown, and all other corrupt influence, from theſe elections. This care and this attention have gone ſtill farther. They have provided, as far as they have been ſuffer'd to provide hitherto by the conſtitutional dependency of one houſe on the other, and of both on the crown, that all ſuch influence ſhould be removed from the members, after they are choſen. Even here the providence of our conſtitution hath not ſtopp'd. Leſt all other proviſions ſhould be ineffectual to keep the members of the houſe of commons out of this unconſtitutional dependency, which ſome men preſume with a ſilly dogmatical air of triumph, to ſuppoſe neceſſary to ſupport the conſtitutional independency of the crown; the wiſdom of our conſtitution hath thought fit, that the repreſentatives of the people ſhould not have time to forget that they are ſuch; that they are empower'd to act for the people, not againſt them. In a word, our conſtitution means, that the members of this body ſhould be kept, as it were, to their good behaviour, by the frequent returns of new elections. It does all that a conſtitution can do, all that can be done by legal proviſions, to ſecure the intereſts of the people, by maintaining the integrity of their truſtees; and leſt all this ſhould fail, it gives frequent opportunities to the people to ſecure their intereſts themſelves,

ſelves, by mending their choice of their truſtees; ſo that as a bad king muſt ſtand in awe of an honeſt parliament, a corrupt houſe of commons muſt ſtand in awe of an honeſt people.

BETWEEN theſe two eſtates, or branches of the legiſlative power, there ſtands a third, the houſe of peers; which may ſeem in theory, perhaps, too much under the influence of the crown, to be a proper controul upon it; becauſe the ſole right of creating peers reſides in the crown; whereas the crown hath no right to intermeddle in the electing commoners. This would be the caſe, and an intolerable one indeed, if the crown ſhould exerciſe this right often, as it hath been exerciſed ſometimes with univerſal and moſt juſt diſapprobation. It is poſſible too, that this may come to be the caſe in ſome future age, by the method of electing peers to ſit in parliament for one part of the ſame kingdom, by the frequent tranſlations of biſhops, and by other means, if the wiſdom and virtue of the preſent age, and the favourable opportunity of the preſent auſpicious and indulgent reign do not prevent it. But in all other reſpects, the perſons who are once created peers, and their poſterity, according to the ſcheme of the conſtitution, having a right to ſit and debate, and vote in the houſe of peers, which cannot be taken from them, except

by forfeiture; all influence of the kind I have mention'd ſeems to be again removed, and their ſhare in the government depending neither on the king, nor the people, they conſtitute a middle order, and are properly mediators between the other two, in the eye of our conſtitution.

IT is by this mixture of monarchical, ariſtocratical and democratical power, blended together in one ſyſtem, and by theſe three eſtates balancing one another, that our free conſtitution of government hath been preſerved ſo long inviolate; or hath been brought back, after having ſuffered violations, to its original principles, and been renew'd, and improv'd too, by frequent and ſalutary revolutions. It is by this, that weak and wicked princes have been oppoſed, reſtrain'd, reform'd, puniſh'd by parliaments; that the real, and perhaps the doubtful exorbitances of parliaments, have been reduced by the crown; and that the heat of one houſe hath been moderated, or the ſpirit raiſed, by the proceedings of the other. Parliaments have had a good effect on the people, by keeping them quiet, and the people on parliaments, by keeping them within bounds, which they were tempted to tranſgreſs. A juſt confidence in the ſafe, regular, parliamentary methods of redreſſing grievances hath often made the freeſt, and not the moſt patient people on earth, bear

bear the greateſt grievances much longer, than people held under ſtronger reſtraints, and more uſed to oppreſſion, who had not the ſame confidence, nor the ſame expectation, have borne even leſs. The cries of the people, and the terror of approaching elections, have defeated the moſt dangerous projects for beggaring and enſlaving the nation; and the majority without doors hath obliged the majority within doors to truckle to the minority. In a word, two things may be ſaid with truth of our conſtitution, which I think neither can, nor ever could be ſaid of any other. It ſecures ſociety againſt the miſeries, which are inſeparable from ſimple forms of government; and is liable as little as poſſible to the inconveniencies, that ariſe in mix'd forms. It cannot become uneaſy to the prince, or people; unleſs the former be egregiouſly weak, or wicked; nor be deſtroy'd, unleſs the latter be exceſſively and univerſally corrupt. But theſe general aſſertions require to be a little better explain'd.

BY ſimple forms of government, I mean ſuch as lodge the whole ſupreme power, abſolutely and without controul, either in a ſingle perſon, or in the principal perſons of the community, or in the whole body of the people. Such governments are governments of arbitrary will, and therefore of all imaginable abſurdities the moſt abſurd.

They

They ſtand in direct oppoſition to the ſole motive of ſubmiſſion to any government whatſoever; for if men quit the ſtate, and renounce the rights of nature, (one of which is, to be ſure, that of being govern'd by their own will) they do this, that they may not remain expoſed to the arbitrary will of other men, the weakeſt to that of the ſtrongeſt, the few to that of the many. Now, in ſubmitting to any ſingle form of government whatever, they eſtabliſh what they mean to avoid, and for fear of being expoſed to arbitrary will ſometimes, they chuſe to be govern'd by it always. Theſe governments do not only degenerate into tyranny; they are tyranny in their very inſtitution; and they who ſubmit to them, are ſlaves, not ſubjects, however the ſuperme power may be exerciſed; for tyranny and ſlavery do not ſo properly conſiſt in the ſtripes that are given and received, as in the power of giving them at pleaſure, and the neceſſity of receiving them, whenever and for whatever they are inflicted. Abſolute democracy may appear to ſome, in abſtracted ſpeculation, a leſs deviation from nature than monarchy, and more agreeable to reaſon; becauſe here, it is the will of the whole community, that governs the whole community, and becauſe reaſon does certainly inſtruct every man, even from a conſciouſneſs of his own frailty, the "impotentia animi" of the Latin writers,

writers, to truſt as little power as poſſible to any other man. But ſtill it muſt be confeſs'd, that if it be unſafe for a people to truſt too much power to a prince, it is unſafe for them likewiſe to keep too much power to themſelves. Abſolute monarchy is tyranny; but abſolute democracy is tyranny and anarchy both. If ariſtocracy be placed between theſe two extremes, it is placed on a ſlippery ridge, and muſt fall into one or the other, according to the natural courſe of human affairs; if the few who govern are united, into tyranny, perhaps more ſevere than any other; if they are diſunited, into factions and diſorders, as great as thoſe of the moſt tumultuous democracy.

FROM ſuch obſervations, and many of the ſame kind and tendency, it hath been concluded very reaſonably, that the beſt form of government muſt be one compounded of theſe three, and in which they are all ſo temper'd, that each may produce the good effects, and be reſtrain'd by the counterworkings of the other two, from producing the bad effects, that are natural to it. Thus much is evident. But then how to fix that juſt proportion of each, how to hit that happy temperament of them all in one ſyſtem, is a difficulty that hath perplex'd the wiſeſt politicians, and the moſt famous legiſlators. Let me quote one of the greateſt writers

writers of antiquity. † TACITUS acknowledges, in the fourth book of his annals, what is here advanced; but he thinks such a constitution of government rather a subject of fine speculation, than of practice. He thinks it much more likely that such a system should continue to be admired and practised in idea, than establish'd in fact; and if it happens ever to be establish'd, he does not imagine it can be supported long. Not only the real difficulties, which his sagacity presented to his mind, but his reflections on the constitution and fate of the Roman commonwealth might lead TACITUS into this despondency. But what the refinements of Roman policy could not do, hath been done in this island, upon foundations laid by the rough simplicity of our northern ancestors.

IT would be a curious and entertaining amusement, to reduce the constitutions of the Roman government and of those, which were form'd on the ruins of that empire, particularly of our own, to their first principles; to observe in which they agree, and in which they differ, and the uniform or various tendencies of each; to mark the latent, as well as apparent causes of their rise and fall; how well or how ill they were con-

† Cunctas nationes & urbes populus, aut primores, aut singuli regunt. Delecta ex his & constituta reipublicæ forma, laudari facilius quàm evenire, vel, si evenit, haud diuturna esse potest.

trived for triumphs abroad, or peace at home; for vain grandeur, or real proſperity; for reſiſting corruption, or being ruin'd by it. Such an analyſis and enquiry would be, I imagine, not only amuſing, but uſeful. At leaſt, it would be more ſo than any rhapſody of general reflections, huddled together with little order, or deſign; for theſe leave no ſyſtematical impreſſions on the mind; nothing but a confuſion of ideas, often bright and glittering, ſeldom inſtructive. But a work of this kind would be too voluminous and too aſpiring for theſe little eſſays, and the humble author of them. He will therefore keep to his point, and content himſelf to make ſome of thoſe obſervations alone, which ſeem proper to illuſtrate and prove what he hath advanced; that the Britiſh conſtitution is a plain and ſufficient rule of judgment and conduct to us in every thing, that regards our liberty; for preſerving of which, as well as for ſecuring its own duration, it is better fitted than any other.

THERE was ſo great a mixture of monarchical power in the Roman commonwealth, that *LIVY dates the original of liberty from the expulſion of the TARQUINS, rather becauſe the conſular dignity was made an-

* Libertatis originem inde magis, quia annuum imperium conſulare factum eſt, quam quod diminutum quicquam ſit ex regiâ poteſtate, numeres. Omnia jura, omnia inſignia primi conſules tenuere. Lib. II. cap. 1.

nual, than becauſe the regal power had ſuffer'd any diminution in that change. The dictatorial power, the moſt abſolute that can be imagined, was introduced in eight, or at fartheſt in eleven years afterwards, and may therefore be reckon'd coæval with the commonwealth; and whatever diminution either this, or the conſular power might ſuffer, the axes and the rods were terrible to the laſt; eſpecially when they were carry'd before a dictator, for whom the tribunes of the people were not a match, as they were for the conſuls. But though there were three ſorts of power exerciſed, there were but two orders, or eſtates, eſtabliſh'd in this commonwealth; the patricians and the plebeians; and the ſupreme power was divided accordingly between the ſenate and the collective, not a repreſentative, body of the people. Theſe two orders, or eſtates, had frequent conteſts, and well they might, ſince they had very oppoſite intereſts. Agrarian * laws, for inſtance, began to be promulgated within three and twenty years, and continued to the end of the commonwealth to produce the ſame diſorders. How inconſiſtent, indeed, was that plan of government, which required ſo much hard ſervice of the people; and which, leaving them

* Tum primum lex agraria promulgata eſt; nunquam deinde uſque ad hanc memoriam ſine maximis motibus rerum agitata. LIV. L. 2. c. 41.

ſo much power in the diſtribution of power, left them ſo little property in the diſtribution of property! Such an inequality of property, and of the means of acquiring it, cannot ſubſiſt in an equal commonwealth; and I much apprehend that any near approaches to a monopoly of property would not be long endured even in a monarchy. But I return to my firſt obſervation.

THOUGH the Romans made frequent experience of the cruel miſchiefs, and even extreme danger to liberty, which attended almoſt every variance of the two eſtates, yet did they never fall upon any ſafe, or effectual method of preventing theſe diſputes, or of reconciling them, without violence. The old expedients alone ſubſiſted; and ſurely they were not only violent, but extra-conſtitutional. When the ſenate was inflexible, the people had immediate recourſe to ſedition. When the people was refractory, the ſenate had recourſe to a dictator. The latter had an approbation, which could not be given to the former, and was a legal inſtitution; notwithſtanding which, I make no ſcruple of ſaying that it was, at leaſt, as inconſiſtent with a free conſtitution of government as the former. Sedition was temporary anarchy. A dictator was a tyrant for ſix months, unleſs he thought fit to abdicate ſooner. The conſtitution was ſuſpended, and endanger'd by both, It might have

have been deſtroy'd by the exceſſes of one. It was deſtroy'd by the bare duration of the other. If the Romans had annually elected out of their tribes a certain number of men to repreſent the people, inſtead of depending on their tribunes (a ſort of bullying magiſtracy, and often a very corrupt one) and if this repreſentative body had been one eſtate, and had acted as ſuch, the conſuls might very well have ſupply'd the place of a third eſtate, and have been ſafely truſted, even more independently of the ſenate than they were, with the executive power. But the want of a third eſtate in the Roman ſyſtem of government, and of a repreſentative body, to act for the collective body, maintain'd one perpetual ferment, which often encreaſed into a ſtorm, but never ſubſided into a calm. The ſtate of Rome, and of the greateſt men in that commonwealth, would have deſerved pity rather than envy, even in the beſt times, if their defective conſtitution had not made ſuch a ſtate of * trouble and tumult the price they paid for the maintenance of their liberty. But this was not the whole price. Whilſt Rome advanced triumphantly in con-

* Conſciones magiſtratuum pæne pernoctantium in roſtris.—Accuſationes potentium reorum, & aſſignatæ etiam domibus inimicitiæ.—Procerum factiones, & aſſidua ſenatus adverſum plebem certamina.

Dial. de Orat. QUINCTIL. TACITO inſcrip.

quering the world, as her orators, poets and hiſtorians have expreſs'd themſelves; that is, a few nations round the Mediterranean ſea, and little more; her citizens turn'd againſt one another thoſe weapons, which were put into their hands againſt the enemies of Rome. Mutual proſcriptions and bloody maſſacres follow'd; each party triumph'd in its turn; they were more animated and better diſciplined by their conteſts; both grew ſtronger; the commonwealth alone grew weaker; and POMPEY and CÆSAR finiſh'd the laſt tragical ſcene, which MARIUS and SYLLA began. In fine, the Roman commonwealth would have been diſſolved much ſooner than it was, by the defects I have mention'd, which many circumſtances concur'd to aggravate, if ſuch a ſpirit of wiſdom, as well as courage, and ſuch an enthuſiaſm for the grandeur, the majeſty, and the duration of their empire had not poſſeſs'd this people, as never poſſeſs'd any other. When this ſpirit decay'd, when this enthuſiaſm cool'd, the conſtitution could not help, nay work'd againſt itſelf. That dictatorial power, on which the ſenate had always depended for preſerving it, compleated the ruin of it, in the hands of CÆSAR; and that tribunitial power, to which the people had always truſted the defence of their liberty, confirm'd their ſlavery, in the hands of AUGUSTUS.

I am, ſir, &c.

LETTER

LETTER XIV.

SIR,

THE defects, which I have presumed to censure in the Roman constitution of government, were avoided in some of those, that were establish'd on the breaking of that empire by the northern nations and the Goths; for I suspect that the Goths were not properly and strictly a northern nation, any more than the Huns and the Alans, though they have been often confounded, and I believe by myself. Let us cast our eyes on Spain and France.

WE cannot arrive, as far as my scanty knowledge informs me, at any particular and authentic account of the scheme of that government, which the western Goths establish'd, when, driven out of Gaul by the Franks, they drove the Vandals and the Alans out of Spain; nor distinguish very accurately between such institutions as were parts of the original Gothic plan, and such as were introduced into the several kingdoms, that form'd themselves on the re-conquest of the country by the Spaniards from the Arabs and Moors. The original of the cortes particularly is quite in

the dark, as we are assured by a very * industrious enquirer and judicious writer. Thus much however we may assert; that the Gothic kings were at first elective, and always limited, even after they became hereditary; and that the cortes, whenever it was establish'd, was an assembly, that may be more truly compared to a British parliament than the assembly of the estates of France could ever pretend to be. Churchmen had wriggled themselves into a share of temporal power among the Goths, as they did in every country, where they were admitted to preach the gospel, though without any authority from the gospel; so that the cortes consisted of prelates, as well as dukes, masters of orders, earls and ricoshomes, who composed the whole body of the nobility; and of the procurators of the commons; that is, of the citizens and burgesses, chosen by the cities and boroughs to represent and act for the whole body of the commons. To preserve the independency of this assembly, these procurators were to be paid by the corporations, for which they served; the king was to give no office, or salary to any of them; nay, a † resumption of rewards, granted to members of the cortes, was once at least debated, if not enacted.

* Dr. GEDDES in his Miscell. Tracts.
† Ibid.

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In ſhort, he was not to name their preſident, nor even ſend letters unopen'd to any of them. No money could be raiſed on the ſubjects, without the conſent of this aſſembly; and it was a ſtanding maxim, or order, that redreſs of grievances ſhould precede the grants of ſupplies. Such a frame of government as this ſeems built for duration; and in fact, if it had not been undermined, it could not have been demoliſh'd. The manner, in which it was both undermined and demoliſh'd totally at laſt, deſerves the attention of every man in Britain. It was undermined by the influence of the court, too much connived at and too long tolerated, on the members of the cortes. Proſtitute wretches were found in thoſe days, I doubt not, as well as in ours, to maintain that the neceſſary independency of the prince could not be ſupported, without allowing a corrupt dependency of the cortes on him; and they had, in thoſe days, ſuch ſucceſs in Caſtile, as we ought to hope they will never obtain in Britain. When corrupt majorities were thus ſecured, pretences were not wanting, nor will they ever be ſo, for making conceſſions to the crown, repugnant to the ſpirit of the conſtitution, and even inconſiſtent with the forms of it. Such pretences, however plauſible, would not have been admitted by men zealous to preſerve their liberty; becauſe any real danger, remote as well

well as immediate, to a free conſtitution would in their balance outweigh all conſiderations of real expediency, and much more all the frivolous pretences of that kind. But the * members of the cortes were no longer ſuch men, when Caſtile loſt her liberties under CHARLES the fifth. The cuſtom of bribing the repreſentatives of the commons, by gifts and promiſes, and ſo ſecuring a majority to the court, had long prevail'd, as we have juſt now ſaid; and after that, it is not to be wonder'd at if exciſes, given for eight years only, became perpetual; if money was granted before grievances were redreſs'd; and if the precedent, ſet in the time of HENRY the ſecond, was follow'd in all ſucceeding reigns. The cortes gave this prince a ſupply, for making war on the Moors; but the † ſum being repreſented by the court to be inſufficient for the ſervice, it was carried that, in caſe of a deficiency, the king might raiſe, without calling a cortes, the money neceſſary to make good that deficiency. This vote of credit gave an incurable fatal wound to that conſtitution. I call it a vote of credit, though the powers it gave ſeem to be leſs than thoſe, which are given by ſome modern votes of credit; for ſurely there is a difference, and not

* Dr. GEDDES in his Miſcell. Tracts.
† Ibid.

a ſmall

a ſmall one, between a power to raiſe money, directly on the people, for a ſervice known, and already approved, and provided for in part by their repreſentatives; and a power to borrow money, on the national credit, for ſervices unknown, and to lay the nation under an obligation of paying for that, which it is poſſible their repreſentatives may diſapprove.

THIS precedent having been made, in favour of one king, and in one particular conjuncture, it became a prevailing argument, in favour of every other king, and in every other conjuncture; for though it may be, nay muſt be, in the vaſt variety of characters, and of conjunctures, prudent and juſt to grant, in favour of ſome princes, and upon ſome occaſions, what it would be neither prudent nor juſt to grant, in favour of other princes, and upon other occaſions; yet ſuch is the merit of every prince, who fills a throne, or rather ſuch is the ſervile adoration paid to power, in what hands ſoever it be lodged, that general and almoſt univerſal experience ſhews this rule, which no man of ſenſe would break in the management of his private intereſts, abſolutely reverſed in the management of the moſt important, national intereſts. The inference to be drawn from hence is plainly this; that the inconveniency, or danger of refuſing to every prince, and in every conjuncture, ſuch things

things as are inconſiſtent with the conſtitution of a free government, muſt be always leſs than the inconveniency, or danger of granting them to any prince, and in any conjuncture.

LET me add this farther obſervation, which preſents itſelf ſo naturally after the former. Though it be proper, in all limited monarchies, to watch and guard againſt all conceſſions, or uſurpations, that may deſtroy the balance of power, on which the preſervation of liberty depends; yet is it certain that conceſſions to the crown from the other conſtituent parts of the legiſlature are almoſt alone to be fear'd. There is no danger that the crown ſhould make them to the others; and on this head the people may very ſafely truſt to thoſe, who wear it, and thoſe, who ſerve it. The nobility will not make them to the commons, without great ſtruggles, which give time to interpoſitions; nor the commons to the nobility. But both may be eaſily induced to make them to the crown. The reaſons of this difference are obvious enough; for firſt, a king is really nothing more than a ſupreme magiſtrate, inſtituted for the ſervice of the community, which requires that the executive power ſhould be veſted in a ſingle perſon. He hath, indeed, a crown on his head, a ſcepter in his hand, and velvet robes on his back, and he ſits elevated in a throne, whilſt

whilſt others ſtand on the ground about him; and all this to denote that he is a king, and to draw the attention and reverence of the vulgar. Juſt ſo, another man wears a mitre on his head, a croſier in his hand, and lawn ſleeves, and ſits in a purple elbow-chair, to denote that he is a biſhop, and to excite the devotion of the multitude, who receive his benediction very thankfully on their knees. But ſtill the king, as well as the biſhop, holds an office, and owes a ſervice. Officium eſt imperare, non regnum. The king, when he commands, diſcharges a truſt, and performs a duty, as well as the ſubject, when he obeys. Notwithſtanding which, kings are apt to ſee themſelves in another light, and experience ſhews us that even they. who made them what they are, are apt to take them for what they are not. From hence it happen'd in Spain, and may happen poſſibly in other countries, that the kings, inſtead of being ſatisfy'd with, and thankful for the dignity, honour, power and wealth, which they poſſeſs'd in ſo eminent a degree above all other magiſtrates and members of the commonwealth, repined at their being poſſeſs'd of no more. What they had, was given them by the conſtitution; and what they had not, was reſerved by the ſame authority to the nobility, and to the commons. But they proceeded, and their ſycophants reaſon'd,

ſon'd, as if the ſole power of the government, and the whole wealth of the nation, belong'd of right to them, and the limitations of the monarchy were ſo many uſurpations on the monarch. In the ſecond place, beſides this conſtant deſire of encroaching, there is another reaſon why conceſſions to the crown are more to be guarded againſt than others, in limited monarchies. The regal power reſides in one perſon. The other ſhares of the ſupreme power are aſſign'd to bodies of men. From hence it follows that the intereſt of the king, and the intereſt of the crown, cannot well be divided in the mind of a prince; whereas the intereſt of each individual may be diſtinguiſh'd from the intereſt of the nobility, or of the commons, and ſtill more from that of the nation, in the minds of thoſe, who compoſe an houſe of peers, or who are repreſentatives of the people. A king cannot be tempted to give up the intereſt of the crown, becauſe he cannot give up this public intereſt, without giving up his private intereſt; whereas the members of ſuch aſſemblies may promote their private intereſt, by ſacrificing to it that of the public. Several other reaſons might be inſiſted upon, to eſtabliſh the truth of the obſervation we have made, and to ſhew how unfairly they argue, who all along ſuppoſe that the independency of the crown may as eaſily be loſt,

loſt, and the balance of power be deſtroy'd on that ſide, by conceſſions from the prince, and uſurpations on him, as the independency of the lords, or commons, may be loſt, and the balance of power be deſtroy'd on that ſide, by conceſſions to the prince, and by his uſurpations. Such reaſons, for inſtance, might be drawn from the difference of that influence, which the crown hath on the other eſtates, and which the other eſtates have on the crown; as well as from the difference of the pretences, which may be urged on behalf of the crown, or of the nobility, or commons, to obtain ſuch conceſſions; for ſuppoſing them all co-equal, as parts of the legiſlature, yet if it be conſider'd that the executive power is ſolely in the crown; that the diſpoſition of public money, as well as public employments, is a part of this power; that this power is in continual exerciſe, and may immediately affect, more or leſs, at one time or at another, every particular man, peer as well as commoner; whereas the other powers are exerciſed occaſionally, are continued or ſuſpended, in great meaſure, at the will of the prince, and are employ'd chiefly in matters of general, not particular concern; in fine, if it be conſider'd farther, that the powers exerciſed by aſſemblies of peers and commoners, whether theſe aſſemblies be regarded as parts of the legiſlature, as the great councils

councils of the nation, or as the judges and profecutors of enormous offenders, are few and ſimple, directed to notorious purpoſes, conducted by rules always known, always the ſame, and always ſufficient to theſe purpoſes; whereas the branches of executive power are numerous and complicated, the rules various, and the purpoſes often unknown, often contingent; ſo that it may become difficult to judge either of the utility of the purpoſes, or of the ſufficiency of the powers; if all theſe things be conſider'd, I ſay, we ſhall not be at a loſs to determine on which ſide the danger to liberty, in a limited monarchy, lies; and whether conceſſions to the crown, in prejudice of the conſtitution, are not more likely to be made, than conceſſions from it.

HAPPY had it been for the people of Caſtile, if they had ſeen this danger in time, and had remedy'd, whilſt the remedies were in their power, thoſe defects in their conſtitution, whatever they were, which gave their kings by degrees ſuch an influence over the cortes, as overturn'd at laſt the whole conſtitution, and gain'd to the German race, that began to reign in CHARLES the fifth (for his father PHILIP is ſcarce to be reckon'd) ſuch an abſolute power as the Gothic kings had never been able to obtain. Though CHARLES the fifth was a very able prince, yet the honour (for ſuch it will be eſteem'd by ſome

ſome men) or more truly the infamy, of enſlaving Caſtile muſt not be aſcribed to his ſuperior capacity, nor to that of his miniſters. Had he been the meereſt tool, a thing of ſtraw, but ſomething leſs than a ſcarecrow, and unable to protect the property of his ſubjects; he might ſtill have taken their liberties from them, in that conjuncture, as he did moſt effectually. Corruption was eſtabliſh'd; a majority of the cortes was bribed; the nobility was detach'd from the common intereſt by titles, places, penſions, and grants; and the clergy in general, for exceptions there were, took no farther ſhare in it than particular piques, or ſome indirect and fleeting conſiderations, inſpired them to take. The nation ſaw itſelf betray'd, and the commons proteſted loudly againſt the proceedings of their repreſentatives. But this was the very point, for which the enemies of the caſtilian conſtitution waited; and as ſoon as a pretence for employing force was given them, they muffled themſelves up in that threadbare coat of zeal for the government, and ſtab'd their country to the heart. An ordinance of the cortes had been made, about a hundred years before, againſt increaſing the ſtanding forces of the kingdom to more than 400 ſoldiers in garriſons, and 1500 ginets. This ordinance had not been very well obſerved. The long wars with the Moors made

armies often neceſſary, when there was no actual war. The danger of being invaded by the Moors, (for every mooriſh king was deem'd a pretender to the throne) might ſerve to make them ſo repreſented; and when this reaſon fail'd entirely, as it did by the conqueſt of Granada, the laſt poſſeſſion of theſe people in Spain, pretences for keeping armies on foot were ſtill to be found. There were ſtill mooriſh factions; the new chriſtians were Moors in their hearts; amongſt the old chriſtians there were ſeveral, who favour'd them; the people were not to be truſted with their own preſervation. CHIEVRES, the rapacious miniſter of CHARLES the fifth, and his journeymen (for ſo were thoſe Spaniards call'd, according to Dr. GEDDES, who did not care how much their country was plunder'd by foreigners, provided they ſhared the ſpoils) CHIEVRES, I ſay, and his journeymen, a real faction, and perhaps not a great one, were the faſt friends of the government. The reſt of the nation were open, or ſecret enemies. According to this excellent logic, the former were to be protected in blundering, for they were guilty of that too, as well as in plundering; and the latter were to be oppreſs'd for complaining. The nation was ſacrificed to a faction, and an excellent conſtitution deſtroy'd, in favour of a profligate government. This deſtruction however would not have been ſo eaſily accompliſh'd,

accompliſh'd, nor would Caſtilians alone have enſlaved Caſtile to a foreign race, after aſſerting their liberty ſo often, and ſo boldly, againſt princes of their own country, if two other circumſtances had not concur'd. FERDINAND had conquer'd Navarre, and a regular, diſciplined army defended that conqueſt againſt the French. This army, which was at hand, march'd into Caſtile, defeated the commons, and extinguiſh'd liberty in a country, where it had been long declining. The nobility was detach'd from the commons by grants of land, amongſt other conſiderations, as I ſaid above; and the commons renew'd their conteſt on this head, perhaps unjuſtly, to be ſure very unſeaſonably. The commons however were juſtify'd for taking arms, in the opinion of the nobility, and even in that of ADRIAN, who govern'd during the abſence of CHARLES, whoſe preceptor he had been; for this honeſt man, (too honeſt to be long endured on the papal throne, where he was afterwards placed) affirm'd that all the troubles of Caſtile were cauſed by the king, and by his covetous and tyrannical miniſters. The conduct of the commons, upon this great occaſion, was in many inſtances raſh and violent, as well as ill adviſed and weak. But they were tumultuous aſſemblies driven into deſpair; and the nobility, who might have had great ſway amongſt them, and might

have help'd to regulate their fire, and to keep them ſober, help'd on the contrary to make them mad, either by neglecting them, or by taking part againſt them, till it was too late; and then complain'd of their being mad, with as ill a grace as the principal men of Rome, who help'd to corrupt that people, complain'd of their corruption, and aſſign'd it as a reaſon for depriving them of their liberty.

THERE cannot be a greater ſoleciſm in politics than that of a nobility, under monarchical government, who ſuffer the liberty of the commons to be taken away. In Ariſtocracies, the nobility get whatever the commons loſe; but in monarchies, the crown alone is the gainer, and the certain conſequence of their helping to enſlave the commons, muſt be that of being enſlaved themſelves at laſt, How, indeed, ſhould it be otherwiſe; ſince the liberty of the commons cannot be taken away, unleſs the conſtitution be firſt broken; and ſince neither the peers, nor any one elſe can hold their privileges or their properties, by a better tenure than that of arbitrary will, when the conſtitution is once broken? Was it poſſible to doubt of this truth, we might find the proof of it, without going out of the country where we are; I mean Spain. Amongſt all the ſurprizing phænomena, which have appear'd in the world of late years, there

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are none, that have ſtruck mankind with more aſtoniſhment, than thoſe inſtances of perſons raiſed to the higheſt poſts of power, authority and command, nay to empire, who had not, either from their obſcure birth, or their low talents, or their ſtill lower habits, the leaſt occaſion even to dream of ſuch elevation. Amongſt other countries, Spain hath had her ſhare of them; and the grandees, as they are pompouſly ſtiled, the ſucceſſors of thoſe men, who thought to riſe on the ruin of the commons of Caſtile; they, who have the vain honour of cocking their hats in the preſence of their prince, have been ſeen to ſtand at aweful diſtance, or approach with reſpectful cringe, in the preſence of a paraſite and buffoon.

I KNOW full well that, in ſuch governments as we ſpeak of here, it is both the duty and intereſt of the nobility to oppoſe the exceſſes of the commons; but I know too that they have another duty, which they are not to leave undone; another point of intereſt, which they are not to neglect; and therefore I have ſpoken of this ſecond eſtate in our government, as of a middle order, that are properly mediators between the other two, in the eye of our conſtitution. Whilſt the peers maintain this character, they will be able to diſcharge this duty; but they would ceaſe to be ſo, if it was poſſible they ſhould ever become the tools of

faction, or the vaſſals of a miniſter. In mediations of this kind, different from thoſe that are more commonly call'd ſuch, mediators mingle in the conteſt, as parties concern'd, and can by that alone expect to mediate with effect, whether they be conſider'd as bodies of men, or individuals. When the commons are aſſiſted by the peers in their reaſonable endeavours to promote, or reſtore frugality, to ſecure liberty, and to correct all ſorts of mal-adminiſtration; the peers will have, both collectively and ſeparately, a credit with the people, as well as with the repreſentatives of the people; by which they may contribute to check the latter, whenever an houſe of commons ſhall grow unreaſonable, factious, or ſeditious. But if the peers of the realm neglect to oppoſe the commons in their juſt attempts, and forfeit by conſequence the character of impartiality, and even the air of independency, the peers will then add little ſtrength to the crown, whenever the evil day comes, and have as little power to prevent it from coming. There was a time, our fathers ſaw it, when an houſe of commons deſtroy'd, inſtead of ſupporting, the conſtitution, and introduced tyranny, under pretence of excluding ſlavery. I think it might be ſhewn, from the anecdotes of that age, that this could not have happen'd, if the court had not been ſo long and ſo partially abetted by the

the greateſt part of the nobility and clergy, both in the houſe of lords and out of it. An univerſal and timely concurrence with the ſpirit of the commons, which was pious in the true ſenſe of the word at firſt, would have had, I preſume, the full effect that every honeſt man propoſed in a parliamentary reformation of the ſtate; and thoſe fatal opportunities, that were afterwards given to the republican, preſbyterian and independent factions, would have been avoided. But they, who could have trimm'd, (for there is a wiſe and honeſt, as well as a ſilly and corrupt trimming) or have mediated with ſucceſs, loſt the power of doing either; ſome by abetting the crown ſo long, for fear of the commons, and others by concurring with the commons ſo far, for fear of the crown, that the people in general had no confidence in the former, and that the latter were afraid to truſt their prince after all they had done againſt him. If any man had truſted to the plauſible profeſſions of the court at that time, and the court had ſubdued the oppoſite party, we may judge without any breach of charity, that theſe men would have found themſelves deceived. Juſt ſo, if any men, who meant the reformation, not the deſtruction of the ſtate, believed in the canting reformers of that age, ſuch men were, no doubt, egregiouſly deceived. But I confeſs myſelf of opinion,

and ſurely upon no improbable grounds, that there were few, or no ſuch men. The good intentions of the court were diſtruſted even by thoſe, who took arms for the king, and the ill intentions of many of the leaders on the other ſide were ſuſpected, no doubt, by many, who took arms for the parliament. But two of the three eſtates being ripe for the raſheſt enterprizes, and the third being in no condition to mediate, the extremes claſh'd without any power ſufficient to interpoſe; and when the ſword was drawn, the ſword could alone decide. I conclude therefore, from theſe two examples, that as there cannot be a greater error in politics than that of a nobility, who aſſiſt a prince to take away the liberties and privileges of the commons; (which was the caſe in Caſtile) ſo the ſureſt way of preventing that terrible dilemma, wherein men are obliged to chuſe either ſubmiſſion to tyrannical government, or concurrence with an enraged and no longer governable people, (which hath been the caſe in Caſtile and Britain both) is for the nobility, and the principal men amongſt the commons, to engage ſo early in the cauſe of liberty, that the former may be always in condition to mediate with effect, and the latter have always power to allay the intemperate heat of their own body.

I am, ſir, &c.

LETTER

LETTER XV.

SIR,

BUT to resume the comparison of other constitutions of government with our own, I say that if the Gothic constitution in Spain, either by original defects, or by deviating from, and not being reduced again in time to its first principles, was destroy'd through the corruption of parliaments, and by the force of an army, one of which betray'd, and the other conquer'd the commons of Castile; the commons of France seem either not to have had, or to have lost, in the dark beginnings of that monarchy, all share in the supreme, legislative power. The great, original defect of having but two estates to share the supreme power is an objection common to the Roman, and to the French constitutions, with this difference; of the three, simple forms of government, the monarchical, the aristocratical, and the democratical, Rome wanted the first, and France hath always wanted the last. Rome had a nobility and a commonalty, but no magistracy fitted by its institution to answer the purposes of that supreme magistrate, who is call'd king, even in limited monarchies.

monarchies. France hath always had a king and a nobility, and hath felt in their turns all the evils of monarchical and ariſtocratical tyranny. But the people have not had, I preſume, ſince the government of the Franks was fully eſtabliſh'd on this ſide of the Rhine, and the form of their monarchy ſettled, any ſhare in the ſupreme power, either collectively or repreſentatively, how much ſoever a contrary notion may have been countenanced by ſome writers, and have been generally entertain'd, at leaſt in other countries.

"THERE is no nation in the world, ſays "MEZERAI, more illuſtrious, nor any, whoſe "original is more obſcure than that of the "French." They, who would diſpute the firſt, could hardly diſpute the laſt; and it is no buſineſs of mine to controvert either. As dark as their original is, we may diſcover enough to eſtabliſh what hath been ſaid, and to carry on the compariſon we are making.

THE Franks were a nation of Germany, ſeated at one time between the Elbe, Rhine and Neckar, and at another (that is, in the reign of THEODOSIUS the younger) extending themſelves on the German ſide of the Rhine, from Cologne down to Nimighen, and ſtill lower. What is known therefore of the government of the antient Germans, either from TACITUS, or any other good authority, may be properly apply'd to their government,

government, whilſt they continued in Germany, and even after they ſettled in Gaul; till ſuch times as we find, by relations more modern, that a different form of government prevail'd amongſt them. Now it ſeems to me extremely plain, that a different form of government did prevail amongſt them even from the time of CLOVIS, the conqueror of Gaul. Thus for inſtance, that paſſage in TACITUS, where he ſays * "That "the antient Germans took their kings on "account of nobility, and their generals on "account of valour; that the power of their "kings was not abſolute and unlimited; and "that their generals commanded by the autho-"rity, which their example rather than their "power gave them;" that paſſage, I ſay, is properly enough apply'd to the Franks before, and perhaps during the conqueſt of Gaul; but very improperly afterwards, † when CLOVIS, both king and general of that people, had founded the monarchy, which he tranſmitted to his poſterity. That the nation of the Franks was divided into ſeveral tribes, or clans, and that theſe were govern'd by ſeveral little princes, cannot be doubted. "Habebat quot pagos, tot pæne "duces." That a general was choſen to com-

* Reges ex nobilitate, duces ex virtute ſumunt; nec regibus infinita, nec libera poteſtas; & duces exemplo potius quam imperio præſunt. De mor. Germ.

† BOULAINV. Mem. Hiſt.

mand

mand the whole with ſovereign authority but according to certain rules made by common conſent, whenever any great enterprize was undertaken, and that CLOVIS himſelf, though he ſucceeded his father CHILDERIC in commanding over a part of the Franks, was choſen in this manner, and for this purpoſe, is certain, In his firſt expedition, he led an army of freebooters, and was obliged by compact to divide the ſpoil by lots amongſt them. The ſtory, which ſo many authors have told, after GREGORY of Tours, of a private ſoldier, who refuſed to leave to his diſpoſition a veſſel of gold, that had been taken out of a church at Rheims, and broke it before his face, is a proof that he was nothing more at firſt than I have repreſented him, the head of a troop of adventurers, who choſe him to lead them, but made their conditions with him. The Franks therefore might be at this Time, in ſome ſenſe, * "all free, perfectly equal, and "independent;" but will it follow from hence that they continued to be ſo, in any ſenſe, after CLOVIS had founded their monarchy; had deſtroy'd all their little kings; united in one body, and under his own domination, all their little ſtates; and changed the form of their government, by appointing dukes, earls, vicars, and other magiſtrates, to

* BOULAINV. Mem. Hiſt.

govern

govern under him, according to the model of government in the latter Roman empire? Certainly not. However this change was brought about, and to whatever it was owing, the monarchy of the Franks in Gaul was built on the ruins of their former government. This BOULAINVILLIERS himself confesses, when he says (though not very accurately, nor consistently, as I imagine, in calling their former government a kind of aristocracy) that the principle of union, which founded the monarchy, on the ruins of a kind of aristocracy, was the mistaken ambition of particular men. In short, proofs enough may be collected out of this very author to shew that the government of the Franks, even under the first race of their kings, was not only different from the German governments, but in some respects founded on quite opposite principles. One of these respects, which is immediately to my purpose, I shall mention.

THE general assemblies, that were held at first in the month of march, and afterwards in the month of may, were national assemblies indeed; but not such as the antient Germans held; among whom the principal * "men consulted and decided about "the least, and the whole body of the people "about the greatest affairs." In these assem-

Robertson.

* De minoribus principes, de majoribus omnes. Tacit.

blies

blies of the French the people had nothing to do, unleſs we reckon for ſomething the function of * hollowing, which the author I have juſt now quoted aſſigns them, and which he ſays that cuſtom had render'd neceſſary. In one word, the people had not any ſhare in the ſupreme power, either collectively or repreſentatively, in the original plan of the French government. Whether they acquired any ſhare in this power afterwards, let us enquire next. † MEZERAI pretends, and indeed the whole hiſtory of France vouches for him, ‡ "that no nation "ever honour'd their nobility ſo much as the "French; amongſt whom the nobility was "not only exempt from all ſorts of impoſitions "and charges, but commanded abſolutely all "inferior ranks, who were almoſt in a ſtate of "ſervitude." How could it be otherwiſe, when the nobility and chief magiſtrates, and the clergy, compoſed alone the national councils, or parliaments, and even exerciſed diſtributive juſtice all over the kingdom? Their

* Ills (That is the French) laiſſerent paſſer aux hauts magiſtrats, les ducs, les comtes, & les vicaires, le droit de la nation entiere; de ſortque le commune ne'ut plus d'autres fonctions dans les aſſembleés reélles, que d'y paroitre pour les acclamations, que l'uſage rendoit neceſſaires.
BOULAINV. Mem. Hiſt.

† L. 2.

‡ Jamais nation n'honora tant la nobleſſe que celle la; car non ſeulement elle etoit exempte de toute ſorte d'impots, & corvées, mais commandoit á baguette à ſes inferieurs, ſur leſquels elle avoit preſque droit de ſervitude.

power increaſed, as that of the kings of the firſt race diminiſh'd. CHARLES MARTEL, indeed, who truſted to that battle-axe, which gave him his name, and to foreign troops, laid aſide the national aſſemblies, neglected the nobility, and miſuſed even the clergy, who damn'd him for it. But PEPIN found it neceſſary to regain both, and attach them to his intereſt, in order to mount the throne. By attaching them, he attach'd the whole nation to him. CHILDERIC was depoſed, and he choſen king in a general aſſembly held at Soiſſons, which MEZERAI calls moſt improperly (ſince the expreſſion communicates a falſe idea to his reader) "the "States, les etâts." Theſe aſſemblies, in his time, in that of his ſon CHARLES the great, and ſo on, conſiſted of the nobility and clergy alone; and once more it is beyond all diſpute certain, that the people had no more ſhare in theſe national councils, under the ſecond, than under the firſt race of the kings of France.

WHEN the third race of theſe kings began in HUGUES CAPET, the lords were ſo powerful in their eſtates, and ſo independent in their governments, that he was forced to come to a kind of compoſition with them. They became ſovereigns, each in his territory, but held of the crown, and acknowledged the king for the ſupreme lord. There was ſcarce a town, which had not a little ſove-

reign;

reign; ſcarce a caſtle without ſome little tyrant. The parliaments, in thoſe ages took ſeveral turns; "Ills prirent divers plis," as * PASQUIER expreſſes himſelf; but ſtill they conſiſted of princes, great lords, biſhops and abbots, who decided in them their diſputes with one another, and with the king, and maintain'd by theſe means a ſort of national confederacy, or fœderal union of many ſtates, politically united under one head. Such aſſemblies as theſe, under the ſecond and third race, were the original inſtitutions, from whence the † parliaments of France have proceeded, as many alterations as they have received, and as much as they are now changed; ſo that we may ſafely affirm the parliaments of France never gave the people any ſhare in the government of that kingdom; and whoever entertains a notion that the aſſemblies of the ſtates did, or that ‡ theſe aſſemblies are of great antiquity, or that they are the foundation of the liberty of the people of that country, will find himſelf, on due examination, groſly deceived.

THESE aſſemblies of the three eſtates, the nobility, clergy, and commons, were in-

* Recherches de la France.
† Primitive origine & inſtitution des parlemens, ib.
‡ Ib.

vented

vented firſt by * PHILIP LE BEL. They were entirely unknown before the year 1301. The people had no right to any ſuch aſſemblies; and when they were inſtituted, they were plainly deſign'd for nothing leſs than the good of the people. Long after the eſtabliſhment of the capetian race, when taxes grew heavy, and were laid on and levy'd very arbitrarily, † ſeditions and rebellions of an oppreſs'd people, who had no other recourſe, follow'd. To prevent theſe, not only writs, or orders, were ſent to the nobility and clergy, in the ſeveral ſheriffwicks and bailywicks, but to the commons, to aſſemble and take into conſideration how to redreſs grievances, and ſupport the public expences; and after ſuch conſideration had amongſt themſelves, to depute ſome perſons of each order, or eſtate, to confer together in the place appointed for holding ſuch general aſſemblies. "The commons were added to theſe aſſemblies, " ‡ ſays PASQUIER," "againſt the antient order or practice of "France, for no other reaſon than this, that "the principal burthen, or charge, was to "fall upon them." This was the true reaſon.

* L'Aſſemblée des etats,—fut une Idée toute nouvelle de PHILIPPE LE BEL, & juſqu' alors entirement inuſitée.
BOULAINV. Let. ſur les anciens parl. de France.

† PASQU. Rech.

‡ Le roturier fut expres ajoute, contre l'ancien ordre de la France, à cette aſſemble, &c.

Redreſs of grievances had no part in the ſchemes of that rapacious and profuſe prince, who was the author of this inſtitution; and he, that conſiders the manner, in which theſe aſſemblies were convened, the powers they were ſuffer'd to exerciſe, the ſubordination, in which the commons particularly were kept, and the habitual, unavoidable influence, under which they lay, will be eaſily convinced that *ſuch aſſemblies* were fitted to do the jobs, and ſanctify the iniquity of the court, and nothing more. If, at any time, they make any good ordinances for the reformation of the ſtate, * "theſe ordinances are, " "ſays honeſt PASQUIER," like fine pieces " of tapeſtry, hung up to make a ſhew to " poſterity." They have no other effect. But the impoſition granted to the king hath its full effect. I conclude therefore, and upon ſufficient grounds, that even ſince the eſtabliſhment of theſe aſſemblies of the eſtates, in the beginning of the 14th century, the people of France have had no real ſhare in the ſupreme power of the government, either collectively or repreſentatively.

I might illuſtrate and prove what is here advanced by the example of every aſſembly of the ſtates of France, of which we have

*———Ces ſont belles tapiſſeries, qui ſervent ſeulement de parade à une poſterité. Cependant l'impoſt que l'on accorde au Roy eſt fort bien mis à effet.

any

any good accounts, from the firſt in 1301 to the laſt that was held, as I remember, in 1614. But ſuch a deduction would carry us too far. I ſhall content myſelf therefore with making two obſervations.

FIRST, that theſe farces (for ſuch theſe aſſemblies were, and ſuch they were deſign'd to be) owe their inſtitution not only to one of the worſt kings, but to one of the worſt miniſters, that France ever ſaw; ENGUERAND DE MARIGNY, who was call'd the coadjutor and the governor of the kingdom; the moſt inſolent, the moſt avaricious, and the moſt prodigal man of his age, The great ability of this miniſter, on which his whole merit with a greedy maſter was raiſed, conſiſted in making his adminiſtration a ſyſtem of violence and fraud, in order to plunder and enſlave the people. When he durſt not employ one, he turn'd himſelf to the other; and how groſly and impudently he managed even fraud, it may not be improper to take notice, in one inſtance; becauſe we ſhall ſee the better, by this inſtance, what the nature and effect of theſe aſſemblies were, of which we ſpeak, and what uſe the court made of them from their firſt inſtitution. ENGUERAND DE MARIGNY then, meeting with great oppoſition to * ſome taxes he had deviſed, propoſed the calling an aſſembly of

* BOULAINV. Let. ſur les anciens parl. de France.

the ſtates, and hoped probably that he might gain the commons to favour the intention he had of extending theſe taxes to the nobility and clergy. A great ſcaffold was erected. The king, the lords and the clergy took their places on it. The commons attended at the foot of it. The miniſter made a moſt vehement declamation, to ſtir the paſſions of the audience, and made no ſcruple of inſinuating in it, what neither he nor his maſter intended to perform, a promiſe of reimburſing, after the expedition propoſed, what the people ſhould give to the king. The king roſe from his throne, and advanced to the extremity of the ſcaffold, that he might ſecond by his looks the harangue of his treaſurer, and ſee who thoſe were, that refuſed, or conſented, to the aid he demanded. The deputies of Paris promiſed to give a ſufficient ſupply, or to follow the king in their perſons to the war. The other deputies concur'd in this general engagement, and the aſſembly broke up, without any farther deliberation, or any ordinance of the eſtates. But an ordinance of the king ſoon follow'd; a * general exciſe was impoſed by his authority, as if it had been a grant of the eſtates to him; and his

* ——— Six deniers par livre de toutes les merchandiſes, victuailles, boiſſons, & denrées, ——— vendues dans le royaume.

BOULAINV. Let. ſur les anciens parl. de France.

miniſters

miniſters had a number of harpies ready, whom he let looſe to deſolate the kingdom, by levying this infamous tax, for the conſideration of ſome little advance made to the king. If you aſk what were the conſequences of theſe proceedings, it will be ſufficient to mention two. The tax of a fifth on the revenues of the ſubject, which is the proportion of our land-tax of four ſhillings in the pound, was continued, though the general exciſe had been impoſed. * ENGUERAND DE MARIGNY was hang'd in the ſucceeding reign for this, amongſt other crimes, though not by an aſſembly of the eſtates; for the eſtates had neither the opportunity, nor the power of reſenting the greateſt inſult that could be offer'd them, and the greateſt injury, that could be done to the nation.

THE next obſervation I have to make is very ſhort; but I think very pertinent, and very important. This example ſhews us how true it is, that no inſtruments of tyranny can be found ſo ſure and effectual as an aſſembly of the eſtates of a realm, when ſuch an aſſembly is ſo conſtituted as to want the power (which was from the firſt the cauſe of the three eſtates in France) and the ſame muſt happen, when they are ſo managed as to want the will (which became at laſt the

* MEZERAI, DANIEL, &c. Sous Lovis Huten.

caſe of the cortes in Spain) to ſecure the liberty and defend the property of the people, againſt ſuch kings as PHILIP LE BEL, and ſuch coadjutors as MARIGNY. This prince and his miniſter had ſtrain'd prerogative to the utmoſt, and had govern'd by it very tyrannically. Whilſt this expedient would do, they try'd no other; but when they apprehended it might fail them, they added a deputation of the commons to the aſſembly of the eſtates; that, ſeeming to create a new controul on the crown, they might in reality give greater ſcope and freer exerciſe to arbitrary will. The friends of liberty therefore, who live under limited monarchies, cannot be too careful to preſerve their conſtitution in vigour, nor too fearful leſt their repreſentatives ſhould be ſo influenced as to neglect their privileges, miſapply their powers, and depart from their integrity; ſince theſe friends of liberty ſee that the greateſt maſters of tyranny have judged the form, without the ſpirit, of a free government more favourable to their ſchemes of oppreſſion, than all the authority, that abſolute monarchy can give; and that they made an innovation in the form of their government on this very motive, and for this very purpoſe.

I am, ſir, &c.

LETTER

LETTER XVI.

SIR,

I HAVE dwelt long, perhaps too long, on the laſt head. I was induced to it, not only becauſe the account, I have given according to the truth of hiſtory, is contrary to the national prejudices of many people on this ſubject, as I hinted before; but principally becauſe the great point of ſtrength and ſecurity, on which the freedom of our conſtitution reſts, will appear in a fuller light, by being thus contraſted with the conſtitution of the French government. Both their anceſtors and ours came out of Germany, and had probably much the ſame manners, the ſame cuſtoms, and the ſame forms of government. But as they proceeded differently in the conqueſts they made, ſo did they in the eſtabliſhments that follow'd. The conqueſt of Britain was a work of time, and the Saxon monarchy was long in forming. The conqueſt of Gaul was carry'd on with greater rapidity, and the French monarchy was ſooner form'd. From hence ſome reaſons might be drawn to account, amongſt others, for that great difference between the conſtitutions of the two

monarchies, which theſe two German nations founded, at no great diſtance of time, in Britain and in Gaul. But I ſhall not indulge myſelf in gueſſing at the reaſons, or accidents, that determined the Franks to the diviſion they made of their people, and to the form of government they eſtabliſh'd. Whatever reaſons, or accidents, determined them, this is certain; that the diſtinction of lord and vaſſal became the general diſtinction of the whole nation; that the * commons amongſt them were little better than ſlaves, whatever they had been in Germany; and that they were ſo inured to ſervitude under their kings, prelates and lords, that they look'd on themſelves at laſt, not juſtly, but unjuſtly, as men, who had no right, no not even a right by nature, to any ſhare in the government of that community, whereof they made ſo vaſtly the principal part.

In Britain another conſtitution was form'd, and another ſpirit prevail'd. The Saxons had a † nobility too, ariſing from perſonal valour, or wiſdom, continued by blood, and ſometimes confer'd by the prince, how-

* Le peuple, d'un autre coté, ſe fait juſtice, reconnoiſſant combien la condition naturelle le doit eloigner de concours du government, & dans ſe ſentiment ne ſe fait entendre que par requete.

BOULAINV. Let. ſur les an parl.

† NAT. BACON Hiſt. & Pol. Diſ.

ever

ever legally at firſt it matters not to enquire, on ſuch as held great offices about his perſon. All theſe were the adelings, or nobles, an handful in compariſon of the frigilingi, or freeborn, who made the body of the Saxon people. The freedom of this people was erected on two columns, that have proved more durable than braſs. They were parties to the making, and to the executing all the general laws of the kingdom. They ſhared the legiſlative power; were join'd to the lords in the adminiſtration of juſtice; and no magiſtrate, or officer, could exerciſe juriſdiction, nor authority over them, no not eccleſiaſtical, without their conſent and election. The comites ex plebe, who were choſen for this laſt function, the adminiſtration of juſtice, made one rank amongſt the Saxon commonalty. The cuſtodes pagani, ſuch as had an helmet, a coat of mail, and a gilt ſword, for their ordinary arms, whether they fought on foot or on horſeback, made another rank; and the plain pagani, ceorles, made the loweſt. But even theſe were totally diſtinct from, and far ſuperior to the lazzi, or ſlaves, nay to the free lazzi, ſuch as had been ſlaves, and were become free. The ceorles were freemen to all intents and purpoſes, and in all the eſſentials of liberty, as much as the Saxons of any ſuperior rank, and were capable of riſing to any ſuperior rank by merit, or by favour.

THESE

THESE are the ſources, from which all the diſtinctions of rank and degree, that exiſt at this day amongſt us, have flow'd. Theſe are the general principles of all our liberties. That this Saxon conſtitution hath vary'd in many particulars, and at ſeveral periods of time, I am far from denying. That it did ſo, for inſtance, on the entry of the Normans, though certainly not near ſo much as many have been willing to believe, and to make others believe, is allow'd. Nay, let it be allow'd for argument's ſake, and not otherwiſe, that during the firſt confuſion, and the ſubſequent diſorders, which neceſſarily accompany and follow ſo great, and ſo violent a revolution, the ſcheme of the Saxon conſtitution was broken, and the liberties of the people invaded, as well as the crown uſurp'd. Let us even agree that laws were made, without the conſent of the people; that officers and magiſtrates, civil, military and eccleſiaſtical, were imwithout their election; in one word, that theſe Norman kings and the lords had mounted each other too high to be lords over freemen, and that the government was entirely monarchical and ariſtocratical, without any exerciſe of democratical power. Let all this be granted, and the utmoſt that can be made of it will amount to this; that confuſion and violence at the entry, and for ſomtime after, under the government of

a foreign race, introduced many illegal practices, and ſome foreign principles of policy, contrary to the ſpirit, and letter too, of the antient conſtitution; and that theſe kings and the lords abuſed their power over the freemen, by extortion and oppreſſion, as lords over tenants. But it will remain true that neither kings nor lords, nor both together, * could prevail over them, or gain their conſent to give their right, or the law, up to the king's beck. But ſtill the law remain'd arbiter both of king and people, and the parliament ſupreme expounder and judge both of it and them. Though the branches were lopp'd, and the tree loſt it's beauty for a time, yet the root remain'd untouch'd was ſet in a good ſoil, and had taken ſtrong hold in it; ſo that care, and culture, and time were indeed required, and our anceſtors were forced to water it, if I may uſe ſuch an expreſſion, with their blood; but with this care, and culture, and time, and blood, it ſhot up again with greater ſtrength than ever, that we might ſit quiet and happy under the ſhade of it; for if the ſame form was not exactly reſtored in every part, a tree of the ſame kind, and as beautiful, and as luxuriant as the former, grew up from the ſame root.

* NAT. BICON ſummary concluſ. of the firſt part of hiſt. and pol. diſc.

To bring our diſcourſe to that point, which is here immediately concern'd; parliaments were never interrupted, nor the right of any eſtate taken away, however the exerciſe of it might be diſturb'd. Nay, they ſoon took the forms they ſtill preſerve, were conſtituted almoſt as they now are, and were intirely built on the ſame general principles, as well as directed to the ſame purpoſes.

WHEN I ſay that they were conſtituted almoſt as they now are, I do not mean to enter into any of thoſe minute queſtions, about which a man may employ much time and ſtudy, and have as little true and uſeful knowledge of our conſtitution as the moſt ignorant man alive. But I propoſe to make a ſhort reflection or two on the property and power of the three eſtates that compoſe our parliament, as they ſtood formerly, and as they now ſtand; becauſe although our parliaments were compoſed of king, lords and commons in thoſe days, as well as theſe, yet the difference of the weight, which each of theſe eſtates hath caſt into the ſcale of government, at different periods, does in effect make ſome difference in the conſtitution of parliament; and by conſidering this difference, our thoughts will be led the better to judge of the true poiſe of our conſtitution, on maintaining which our all depends; ſince the nearer we keep to it, the ſafer

ſafer our liberty is, and ſince every variation from it is dangerous to our liberty, in a degree proportionable to ſuch variation. Property then, and power by conſequence, have changed hands, or rather have ſhifted much in the ſame hands, ſince the Norman æra. Kings, lords and the church were in thoſe days, and long afterwards, the great proprietors, and by the nature of tenures, as well as by the bulk of their eſtates, they held the commons in no ſmall ſubjection, and ſeem'd to have govern'd without much regard to them, or to their concurrence, in many caſes. But the regard, that was not paid them at firſt, the kings, the lords and the church found it neceſſary to pay them in a ſhort time; and that authority, that weight in the balance of power, which property did not give them, they ſoon acquired, or rather reſumed by their numbers, and by the circumſtances, that follow'd. By the circumſtances that follow'd, I mean the great diſorders in the ſtate, and the civil wars, which the ambition of princes, of the nobility, and of the church too, created. In all theſe conflicts, ſome of the commons * holding for the king, who promiſed liberty from the lords, and others ſiding with the lords, who promiſed them liberty from the king, they came off better in the end than their

* NAT. BACON Hiſt. & Pol. Diſc. concluſ. of the 2d. part.

principals,

principals, and an example rarely to be parallel'd was ſet; for general liberty was nurſed, by theſe means, under the wings of particular ambition. In later days, when the nation, harraſs'd and ſpent by the long wars of YORK and LANCASTER ſeem'd glad to ſettle under any ſtable government, and in this temper gave many advantages to the cunning of HENRY the ſeventh, which the violence of his ſon improved, it is certain that the commons ſuffer'd extremely from the avarice of one, the profuſion of the other, and the high-ſtrained prerogative of both. But then their ſufferings were temporary, and may be ſaid to have ended with theſe reigns; whereas the ſufferings of the nobility and the church were permanent and irretrievable. The king and his council, ſays, the author I quoted laſt, under colour of liveries and retainders, brought the whole kingdom to be of their livery. It was ſo. But ſtill the commons loſt nothing, and gain'd much. They were more under ſubjection to the crown; but they were leſs under ſubjection to the lords and the church. Not only the dependencies on theſe were broken, but the lords and the church were made more dependent on the crown than the commons had been on them. The lords were obliged to attend the court at their own expence, and might alienate their eſtates to defray this expence. A great part of the lands

lands of the church were confiſcated and parcell'd out to thoſe, who could buy, at very cheap rates; and the increaſe of trade, which began about this time to be very conſiderable, put the commons into a condition of being the buyers. Thus were the old foundations of property and power ſap'd on one ſide, and new foundations laid on the other. Some of the weight of the church continued in the ſcale of the lords, and ſome of it hath gone ſince into that of the commons. The parliamentary controul of the crown did not become leſs, but it became more equally and more uſefully placed. Democracy was ſo well poiſed with ariſtocracy, after this great change, that if they divided, they could not invade one another; and if they united, they could not be invaded by the monarchy. Far different was the caſe in other countries, where the crown got the better of the lords, and baffled, at leaſt in ſome degree, the monſtrous attempts of eccleſiaſtical uſurpation. In France, for inſtance, when the incroachments of the papal power were check'd, the church compounded with the crown, and an alliance ſucceeded of the monarchy with the hierarchy. But if the church was able to compound, the nobility was forced to ſubmit in that kingdom; ſo that the authority and wealth of the church being fix'd on the ſide of the crown, the whole ſtrength

and

and influence of the nobility being taken from them, and incorporated with the power of the crown, and the commons having nothing to do in that government but to pay taxes, and carry arms, the kings of France are become abſolute monarchs; and whatever liberty, or appearance of liberty, there was in that conſtitution, it is totally deſtroy'd.

When I ſay, that parliaments were entirely built on the ſame general principles, as well as directed to the ſame purpoſes, as they ſtill are, I ſhall be juſtify'd by the whole tenor of our hiſtory, and of our law. Let us conſider this in a caſe the plaineſt imaginable, though it ſuffers ſo much debate through the effrontery of ſome men. Let us conſider it relatively to that great principle, that parliaments ought to be independent of the crown in all reſpects, except ſuch as are ſettled by the law and cuſtom of parliament, and concerning which there is no diſpute. Now, this general principle hath not only been always the ſame, but it hath been always ſo declared, in the moſt authentic and ſolemn manner; and parliaments have not been more intent on any national concern whatever, than on maintaining this principle, and ſecuring the effects of it. I ſay parliaments have been conſtantly thus intent, and eſpecially in the beſt times, during more than three centuries at leaſt; for

I would not go back too far, nor grope unneceſſarily in the dark. What elſe did thoſe laws mean, that were made in the time of the Lancaſter kings, to regulate the elections, and to prevent the influence, which RICHARD the ſecond had illegally and arbitrarily employ'd, and which there was room to fear that other princes might employ? What elſe do all thoſe reſolutions, all thoſe declarations, all thoſe remonſtrances, all thoſe acts of parliament mean, that have been made ſo often, and enforced ſo ſtrongly, from time to time, and from thoſe days to theſe, againſt the influence of the crown, either on the elections, or on the members of parliament? I ſhould be aſhamed to aſk any more queſtions of this kind, or to deſcend into any detail, in order to prove what every clerk of a juſtice of peace, nay almoſt every day labourer, knows. But there is another queſtion, which I muſt aſk. If this be ſo, what do thoſe men mean, who are employ'd, or rather what does he mean, who employs them to plead in all places, and on all occaſions, even the moſt ſolemn, in favour of this very influence, nay of the very worſt ſort of it; of that influence, which is created immediately by corruption; for to that their arguments reach by undeniable conſequences? Reaſon is againſt him and them; ſince it is a plain abſurdity to ſuppoſe a controul on the

crown, (and they have not yet ventured to ſuppoſe the contrary, that I know of) and to eſtabliſh at the ſame time a power, and even a right, in the crown, to render this controul uſeleſs. Experience is againſt them; ſince the examples of other countries, and at ſome times (former times I mean) of our own, have proved that a prince may govern according to his arbitrary will, or that of his more arbitrary miniſter, as abſolutely and much more ſecurely with, than without the concurrence of a parliament. Authority, even the uniform authority of our whole legiſlature, is againſt them. The voice of our law gives them the lye. How then ſhall we account for this proceeding; this open and deſperate attack upon our conſtitution, and therefore upon our liberty? Have theſe great men made any nice diſcovery, that eſcaped the blunt ſagacity of our anceſtors formerly, and is above the narrow conceptions of all other men, except themſelves, at this time? Is it leſs fit than the wiſdom of this nation hath judged it to be, for ſo many ages, that kings ſhould govern under the conſtitutional controul of two other eſtates? Or is it leſs fit that they ſhould govern ſo for the time to come, than it was for the time paſt? We ſhall hear, for aught I know, even in this age, that kings are God's vicegerents; that they are, next to him

him and his ſon Chriſt Jeſus, ſupreme moderators and governors. We ſhall hear again, perhaps, of their hereditary, their divine, their indefeaſible right, and the reſt of that ſilly cant, which was invented to make the uſurpations of prerogative go down the better. But will even this alter the caſe? Will this make it unworthy of them to ſubmit to the full controul of ſuch a conſtitution as God himſelf approved, in the inſtitution of the Jewiſh ſenate? MOSES was undoubtedly God's vicegerent. He was, if ever man was ſo, next and immediately under God, a ſupreme moderator and governor. He was * inſpired, and aſſiſted in a ſupernatural manner; and yet he took the advice of his father-in-law JETHRO, the prieſt of Midian. He aſſociated to himſelf in the government of the commonwealth, or he bad the people take, as he ſays in † another place, or chuſe "wiſe men and under-"ſtanding, and known among the tribes," that they might be aſſociated to him. He found himſelf unequal to the taſk of governing alone, and he expoſtulated with God upon it. "‡ I am not able to bear all this peo-"ple alone. Have I conceived all this peo-"ple? Have I begotten them? If thou deal "thus with me, kill me, I pray thee, out of "hand." Whether they, who deduce from

* Exod. xviii. † Deut. i. ‡ Numb. xi.

hence the inſtitution of ſanhedrins, are in the right, or they, who aſſign them a more modern date, againſt the opinion of the Jewiſh doctors themſelves, whoſe authority our doctors receive implicitly enough in ſome caſes, and reject as arbitrarily in others, it matters not to enquire. Let us leave the diſpute to the partiſans of JOSEPH SCALIGER and PETAVIUS, of father SIMON and Le CLERC. Thus much is certain. A great ſanhedrin ſubſiſted at Jeruſalem even at the coming of the Meſſiah, as well as inferior ſanhedrins in ſeveral parts of Paleſtine; which form of government bore ſome reſemblance to our old Saxon conſtitution; and he, who takes the trouble of looking into Mr. * SELDEN, will find that the great ſanhedrin had as much authority, and exerciſed as much power, as ever parliaments did, or wittenagemotes could claim. That God approved a kind of parliamentary eſtabliſhment, and a diviſion of the ſupreme power between his vicegerent MOSES and the ſeventy elders, to whom he gave ſome of the ſpirit, that was on MOSES, the quotations I refer to from holy writ do ſufficiently prove. After this, it cannot be ſaid, I think, to derogate from the majeſty of any prince, let us entertain as high notions of this majeſty as we pleaſe, that he is relieved from the burthen of go-

* SELD. de Synod. & præf. invid. vet. ebræorum.

verning

verning alone; that he is obliged to ſhare the ſupreme power with the nobility and commonalty of the realm; and that he is hinder'd from deſtroying, either directly or indirectly, that independency of thoſe other eſtates, which can alone preſerve this diviſion of the ſupreme power, really, as well as apparently. But perhaps, theſe great and honeſt men have diſcover'd a neceſſity of putting the members, or a majority of the members of parliament, under the influence of the crown, in order to preſerve this very conſtitution. Let us ſee therefore what dangers this expedient is fitted to prevent. Are we afraid that an houſe of commons, unleſs reſtrain'd by places and penſions, ſhould give up the conſtitution to the lords, and eſtabliſh an ariſtocracy? This fear would be ridiculous ſurely; and he, who ſhould argue againſt ſuch a ſuppoſition, would make himſelf ſo. Are we afraid that an houſe of commons, unleſs reſtrain'd in this manner, ſhould uſurp more power than belongs to them, and eſtabliſh a kind of democratical tyranny? But they would have in oppoſition to them a power ſufficient to defeat their deſigns; the united power of the crown and of the houſe of lords. Formerly, indeed, they ſucceeded in an attempt of this kind; and the king and the lords may, at any time, throw too much power into the ſcale, and ſet the ſenſe and ſpirit of the

people on their ſide, as was done at that time. But this neither hath been, nor can be done, unleſs both king and lords conduct themſelves ſo ill, that the miſchiefs to be apprehended from their prevalency appear as great, or greater than thoſe, which are to be apprehended from the prevalency of the commons. Let it be remember'd too, that as the king and the lords may give too much power and popularity to the commons, ſo the lords and commons may give too much power to the crown. The difference will lie only here; that the king and lords will never do the firſt deſignedly; whereas there is a poſſibility that the lords and commons may be induced, in ſome age leſs virtuous than the preſent, by places, penſions, and other gratifications, beſtow'd on a majority of thoſe aſſemblies, to do the laſt deſignedly. What now remains to be urged in favour of this expedient? From what danger are we to be protected by it? Shall we be told that parliaments will not purſue the national intereſt, unleſs their members are bought in to it by the crown? Something like this hath been advanced, I have heard, and nothing more impudent, nor more ſilly could be advanced. A court, that is truly in the intereſt of the nation, will have, nay muſt have, a concurrence of parliament, as it would be eaſy, if it was needful, to ſhew. Time and trouble, indeed, may be ſometimes

times required to lead independent men, who judge for themſelves, and comply, becauſe they are convinced; whereas neither one nor the other are wanting to determine ſuch as hold to a court by a corrupt dependency on it; for they are ſoon diſciplined and ready to perform the whole exerciſe of parliamentary mercenaries at the beat of a drum. Some inconveniencies may likewiſe ariſe (for that, which I have juſt mention'd, does not deſerve the name) from the independency of parliaments. Miniſters, for inſtance, may be call'd to account by the paſſion, by the prejudice, if you will, of ſuch aſſemblies, oftner perhaps than they deſerve to be; or their errors may be cenſured, or their faults be puniſh'd, in a greater degree, and with more rigour, not only than true political juſtice requires, which ſhould always be temper'd with mercy, but even than ſtrict juſtice exacts. But as one of theſe is a fault, if it be a fault, on the beſt ſide, and as the other will certainly happen very ſeldom, it does not ſeem reaſonable that a door ſhould be open'd to corruption and dependency, in order to prevent them. Nay farther, this vigilance, and this ſeverity of parliaments, which we here ſuppoſe, will not fail to have ſome very good effects, that are more than ſufficient to balance the ſuppoſed ill effects. Among the reſt, they may render the raſh, who are in power, more cau-

tious, and the bold more modeſt. They may render fools leſs fond of power, and awe even knaves into honeſty. It were better ſurely that able and good men ſhould now and then ſuffer, (nay the good man, who ſuffer'd, would be himſelf of this opinion) than that the adulation and ſervility of parliaments, which are the neceſſary conſequences of corruption and dependency, ſhould ever contribute to make the court become, in any future age, a ſanctuary for pickpockets, and an hoſpital for changelings.

I am, ſir, &c.

LETTER XVII.

SIR,

THE great alteration we have ſpoken of, in property and power, brought our conſtitution, by ſlow degrees, and through many ſtruggles and dangers, ſo near the moſt perfect idea of a free ſyſtem of government, that nothing would be now wanting to compleat it, if effectual means were found of ſecuring the independency of parliament againſt corruption, as well as it is ſecured againſt prerogative. Our kings have loſt little of the gaudy plumage of the crown.

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Some of their ſuperfluous power, indeed, hath been bought, and more hath been wreſted from them. Notwithſtanding which, it is a very demonſtrable truth, that the crown muſt ſit lighter, and more ſecure, on the head of a wiſe prince, (and no conſtitution provides for, though every conſtitution ſhould provide againſt, a weak prince) ſince the great change of property and power, in favour of the commons, than ever it did before. Our kings are no longer expoſed, as ſome of the greateſt of them have been, to the inſults of turbulent, ambitious lords, or haughty prelates. It is no longer in the power of a few factious noblemen to draw armies into the field, and oblige their prince to fight for his crown, to fight to gain it, and to fight to keep it; as EDWARD the fourth did, I think, in nine pitch'd battles. To make the prince uneaſy, or inſecure, as we are now conſtituted, the whole body of the people muſt be uneaſy, under his government. A popular king of Great-Britain will be always not only eaſy and ſecure, but in effect abſolute. He will be, what the Britiſh conſtitution alone can make any prince, the abſolute monarch of a free people; and this popularity is ſo eaſily acquired, a king gains the public confidence and affection at ſo cheap a rate, that he muſt be poor indeed in all the kingly virtues, who does not purchaſe them, and eſtabliſh true popularity upon them.

IF

IF the condition of our kings is mended in many reſpects, and made worſe in none, that of the nation is mended in every reſpect, by the great improvements of our conſtitution; which are due principally to the change I have mention'd; as the advances we have made in trade, and in national wealth and power, are due principally to theſe improvements. It is by theſe, that the ſubjects of Great-Britain enjoy hitherto ſuch a freedom of their perſons, and ſuch a ſecurity of their property, as no other people can boaſt. Hence that great encouragement of induſtry; hence that broad and ſolid foundation of credit, which muſt always continue, unleſs the weight of taxes, and the oppreſſion of tax-gatherers, make it worth no man's while to be induſtrious any longer, and unleſs national credit be reduced, by length of time, and private management, to reſt no longer on its natural and original foundation, but on the feeble props of yearly expedients, and daily tricks; by which a ſyſtem, that ought to be the plaineſt and faireſt imaginable, will become of courſe a dark, intricate, and wicked myſtery of ſtockjobbing.

BUT the great advantage we are to inſiſt upon here, which hath ariſen to the whole nation from the alteration in the ſtate of property and power, is this; that we have been brought by it to the true poiſe of a mix'd

mix'd government, conſtituted like ours on the three ſimple forms. The democratical power is no longer kept under the ſame dependencies; and if an houſe of commons ſhould now fail to aſſert that independent ſhare in the ſupreme, legiſlative power, which the conſtitution aſſigns to this aſſembly, it could not proceed, as it might, and ſometimes did formerly, from the nature of tenures and many other unavoidable reſtraints; it could proceed alone from the corruption of particular men, who threw themſelves into a voluntary dependency. The democratical power of our conſtitution is not ſufficient to over-top the monarchical and ariſtocratical; but it is ſufficient to counterwork and balance any other power by its own ſtrength, and without the fatal neceſſity of favouring the ambition of the crown againſt the lords, or that of the lords againſt the crown. Nay more, as our government is now conſtituted, the three eſtates have not only one common intereſt, which they always had; but they have, conſider'd as eſtates, no ſeparate, contradictory intereſt. Our conſtitution gives ſo much grandeur, ſo much authority and power to the crown, and our parliaments give ſo immenſe a revenue, that no prince hath any real intereſt to deſire more, who looks on himſelf as the ſupreme magiſtrate of a free people; for if we ſuppoſe inordinate ambition, or avarice,

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to make part of his character, theſe paſſions are inſatiable; but then for this very reaſon, becauſe they are ſo, there ought to be no account held of them; and though a prince may meaſure his demands, a people, who are in their ſenſes, will never meaſure their conceſſions by them.

THE property of the commons is not only become far ſuperior to that of the lords upon the whole, but in the detail there are few, very few inſtances to be produced of greater ſhares of private property amongſt the latter, than amongſt the former; and as the property of the commons is greater, ſo it is equally free. There are no badges of ſervitude on one ſide; no pretence of any ſuperiority, except thoſe of title and rank, on the other. The peers are, in ſome points, (I ſpeak it with all the reſpect due to them) commoners with coronets on their coats of arms; and affecting to act as ſuch, it is plain they deſire very wiſely to be taken for ſuch, on many occaſions. The intereſts of theſe two eſtates then, with regard to property, are the ſame; and their particular rights and privileges are now ſo well aſcertain'd, and ſo widely diſtinguiſh'd, that as the proximity of their intereſts of one ſort ſhould always unite them, ſo the diſtance of thoſe of another ſort cannot eaſily make them claſh. In ſhort, theſe two orders, according to the preſent conſtitution, (and how different is it from

from that of Rome, or in the laſt reſpect, even from that of Spain, not to mention that of France?) have no temptation, and ſcarce the means, of invading each other; ſo that they may the better, and the more effectually, employ their vigilance, and unite their efforts, whenever it ſhall be neceſſary, againſt the encroachments of the crown, from whoſe ſhackles they have both emancipated themſelves, whether the attempts to impoſe theſe ſhackles again are carried on by prerogative, or by the more formidable enemy of liberty, corruption.

IT hath been obſerved already, that although the crown hath the ſole power of creating peers, yet the independency of the peerage on the crown is ſecured by this; that their rights and privileges cannot be taken from them, at the will of the crown. Could the crown unmake, as well as make peers, it would be a jeſt to talk of three eſtates, ſince there would be virtually, and in effect, but two; and therefore our conſtitution hath provided againſt it. But the commons of Great-Britain can make, and, at proper ſeaſons, and in a proper manner, un-make their repreſentatives; by which means, many inconveniencies and miſchiefs are avoided, and many juſt and wiſe ends obtain'd. The peers of the realm can, the commons cannot, aſſemble in their collective body, without exceeding thoſe numbers, amongſt whom the quiet,

quiet, order, decency and ſolemnity of a ſenate may be preſerved. The peers therefore ſit in parliament in their collective, the commons in their repreſentative body. The peers have an inherent, the commons a delegated right. The peers are therefore accountable for their conduct, as all other men are, to God, to their own conſciences, to the tribunal of public fame, and to no other. But the commons are accountable to another tribunal, as well as to theſe; to that of their conſtituents, before which they muſt frequently appear, according to the true intent of our conſtitution, to have a cenſure, or approbation, paſs'd on their conduct, by the refuſal, or grant of new powers to the particular members. Thus the collective body of the people of Great-Britain, delegate, but do not give up, truſt, but do not alienate their right and their power, and cannot be undone, by having beggary, or ſlavery, brought upon them, unleſs they co-operate to their own undoing, and in one word betray themſelves.

WE cannot therefore ſubſcribe to thoſe two ſayings of my lord BACON, which are quoted to this effect; "that England can "never be undone, unleſs by parliaments; "and that there is nothing, which a parlia-"ment cannot do." Great-Britain, according to our preſent conſtitution cannot be undone even by parliaments; for there is ſome-

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thing, which a parliament cannot do. A parliament cannot annul the conſtitution; and whilſt that is preſerved, though our condition may be bad, it cannot be irretrievably ſo. The legiſlative is a ſupreme, and may be call'd, in one ſenſe, an abſolute, but in none an arbitrary power. " * It is limited to " the public good of the ſociety. It is a " power, that hath no other end but preſer- " vation, and therefore can never have a right " to deſtroy, enſlave, or deſignedly to impo- " veriſh the ſubjects; for the obligations of " the law of nature ceaſe not in ſociety, &c." If you therefore put ſo extravagant a caſe, as to ſuppoſe the two houſes of parliament concurring to make at once a formal ceſſion of their own rights and privileges, and of thoſe of the whole nation to the crown, and aſk who hath the right, and the means, to reſiſt the ſupreme legiſlative power; I anſwer, the whole nation hath the right; and a people, who deſerve to enjoy liberty, will find the means. An attempt of this kind would break the bargain between the king and the nation, between the repreſentative and collective body of the people, and would diſſolve the conſtitution. From hence it follows that the nation, which hath a right to preſerve this conſtitution, hath a right to reſiſt an attempt, that leaves no other means of pre-

* LOCKE's Eſſay on civil government, c. 11. of the extent of the legiſlative power.

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ſerving it but thoſe of reſiſtance. From hence it follows, that if the conſtitution was actually diſſolved, as it would be by ſuch an attempt of the three eſtates, the people would return to their original, their natural right, the right of reſtoring the ſame conſtitution, or of making a new one. No power on earth could claim any right of impoſing a conſtitution upon them; and leſs than any, that king, thoſe lords, and thoſe commons, who having been entruſted to preſerve, had deſtroy'd the former. But to ſuppoſe a caſe more within the bounds of poſſibility, though one would be tempted to think it as little within thoſe of probability; let us ſuppoſe our parliaments, in ſome future generation, to grow ſo corrupt, and the crown ſo rich, that a pecuniary influence conſtantly prevailing over the majority, they ſhould aſſemble for little elſe than to eſtabliſh grievances, inſtead of redreſſing them; to approve the meaſures of the court, without information; to engage their country in alliances, in treaties, in wars, without examination; and to give money without account, and almoſt without ſtint. The caſe would be deplorable. Our conſtitution itſelf would become our grievance, whilſt this corruption prevail'd; and if it prevail'd long, our conſtitution could not laſt long; becauſe this ſlow progreſs would lead to the deſtruction of it as ſurely as the

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more conciſe method of giving it up at once. But, in this caſe the conſtitution would help itſelf, and effectually too, unleſs the whole maſs of the people was tainted, and the electors were become no honeſter than the elected. Much time would be required to beggar and enſlave the nation, in this manner. It could ſcarce be the work of one parliament, though parliaments ſhould continue to be ſeptennial. It could not be the work of a triennial parliament moſt certainly; and the people of Great-Britain would have none to blame but themſelves; becauſe, as the conſtitution is a ſure rule of action to thoſe, whom they chooſe to act for them, ſo it is likewiſe a ſure rule of judgment to them in the choice of their truſtees, and particularly of ſuch as have repreſented them already. In ſhort, nothing can deſtroy the conſtitution of Britain, but the people of Britain; and whenever the people of Britain become ſo degenerate and baſe, as to be induced by corruption (for they are no longer in danger of being aw'd by prerogative) to chooſe perſons to repreſent them in parliament, whom they have found by experience to be under an influence, ariſing from private intereſt; dependents on a court, and the creatures of a miniſter; or others, who are unknown to the people, that elect them, and bring no recommendation but that, which they carry

in their purſes; then may the enemies of our conſtitution boaſt that they have got the better of it, and that it is no longer able to preſerve itſelf, nor to defend liberty. Then will that trite, proverbial ſpeech be verified in our caſe, that "the corruptions of the "beſt things are the worſt;" for then will that very change in the ſtate of property and power, which improved our conſtitution ſo much, contribute to the deſtruction of it; and we may even wiſh for thoſe little tyrants, the great lords, and the great prelates again, to oppoſe the encroachments of the crown. How preferable will ſubjection to theſe powerful landlords, (whom the commonalty were accuſtom'd to ſerve; and by whom, if they ſuffer'd on one hand, they had conſiderable advantages on the other) how preferable indeed, will this ſubjection appear to them, when they ſhall ſee the whole nation oppreſs'd by a few upſtarts in power; often by the meaneſt, always by the worſt of their fellow-ſubjects; by men, who owe their elevation and riches neither to merit nor birth, but to the favour of weak princes, and to the ſpoils of their country, beggar'd by their rapine! Then will the fate of Rome be renew'd, in ſome ſort, in Britain. The grandeur of Rome was the work of many centuries, the effect of much wiſdom, and the price of much blood. She maintain'd her grandeur, whilſt

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ſhe preſerved her virtue; but when luxury grew up to favour corruption, and corruption to nouriſh luxury; then Rome grew venal; the election of her magiſtrates, the ſentences of her judges, the decrees of her ſenate, all was ſold; for her liberty was ſold when theſe were ſold; and her riches, her power, her glory, could not long ſurvive her liberty. She, who had been the envy, as well as the miſtreſs of nations, fell to be an object of their ſcorn, or their pity. They had ſeen and felt that ſhe govern'd other people by will, and her own by law. They beheld her govern'd herſelf by will; by the arbitrary will of the worſt of her own citizens; of the worſt of both ſexes, of the worſt of humankind; by CALIGULA, by CLAUDIUS, by NERO, by MESSALINA, by AGRIPPINA, by POPPÆA, by NARCISSUS, by CALISTUS, by PALLAS; by princes, that were ſtupid, or mad; by women, that were abandon'd to ambition and to luſt; by miniſters, that were emancipated ſlaves, paraſites and pandars, inſolent and rapacious. In this miſerable ſtate, the few that retain'd ſome ſparks of the old Roman ſpirit, had double cauſe to mourn in private; for it was not ſafe even to mourn in public. They mourn'd the loſs of the liberty and grandeur of Rome; and they mourned that both ſhould be ſacrific'd to wretches, whoſe crimes would have been puniſh'd, and whoſe

talents would ſcarce have recommended them to the meaneſt offices, in the virtuous and proſperous ages of the commonwealth. Into ſuch a ſtate, (the difference of times, and of other circumſtances conſider'd) at leaſt into a ſtate as miſerable as this, will the people of Britain both fall, and deſerve to fall, if they ſuffer, under any pretence, or by any hands, that conſtitution to be deſtroy'd, which cannot be deſtroy'd, unleſs they ſuffer it; unleſs they co-operate with the enemies of it, by renewing an exploded diſtinction of parties; by electing thoſe to repreſent them, who are hired to betray them; or by ſubmitting tamely, when the maſk is taken off, or falls off, and the attempt to bring beggary and ſlavery is avow'd, or can be no longer conceal'd. If ever this happens, the friends of liberty, ſhould any ſuch remain, will have one option ſtill left; and they will rather chooſe, no doubt, to die the laſt of Britiſh freemen, than bear to live the firſt of Britiſh ſlaves.

I am, ſir, &c.

LETTER

LETTER XVIII.

SIR,

IF we had propoſed nothing more to ourſelves in writing this Diſſertation upon parties than the entertainment, ſuch as it is, of your readers, and our own amuſement; we ſhould not have dwelt, perhaps, ſo much on the nature of the Britiſh conſtitution, nor have recurrd ſo often to aſſert the neceſſary independency of parliaments on the crown. But we had another motive, which we are neither afraid nor aſhamed to avow. This neceſſary independency of parliaments, in which the eſſence of our conſtitution, and by conſequence of our liberty, conſiſts, ſeems to be in great, not to ſay in imminent, danger of being loſt. They, who are alarm'd at every thing, that is ſaid in favour of our conſtitution, and of Britiſh liberty, and who are prejudiced againſt every man, who writes or ſpeaks in defence of them, may take, or affect to take, and try to give, offence at this expreſſion. But we deſire to be underſtood, as we have explain'd our meaning upon ſome former occaſion. We underſtand our conſtitution to be in danger, not only when it is attack'd, but

as ſoon as a breach is made, by which it may be attack'd; and we underſtand this danger to be greater, or leſs, in proportion to the breach, that is made, and without any regard to the probability, or improbability of an attack. This explanation of our meaning is the better founded, becauſe the nation hath an undoubted right to preſerve the conſtitution not only inviolate, but ſecure from violations. Should corruption prevail among the members, which we truſt will never happen, as notoriouſly as it does in the elections of parliament, we all know how much the magnanimity of our preſent king would ſcorn to take ſo mean an advantage over the nation; how much, on the contrary, his heroical ſpirit would prompt him to maintain the liberty even of a degenerate people, who might deſerve no longer the enjoyment of ſo invaluable a bleſſing, but who could never deſerve to have it taken from them by a prince of that family, which was raiſed by them to the throne, for no other reaſon but to preſerve it. All this we know; and the nation may have, no doubt, the ſame confidence in every future king, of the ſame illuſtrious and royal houſe. But this will not alter the caſe; nor make that, which I call danger, ceaſe to be ſuch. Should angels and arch-angels come down from heaven to govern us, the ſame danger would exiſt until the ſprings, from whence

whence it ariſes, were cut off; not becauſe ſome angels and arch-angels have fallen, and from being the guardians have become the tempters and tormentors of mankind, and others therefore may fall; but becauſe as private liberty cannot be deem'd ſecure under a government, wherein law, the proper and ſole ſecurity of it, is dependent on will; ſo public liberty muſt be in danger, whenever a free conſtitution, the proper and ſole ſecurity of it, is dependent on will; and a free conſtitution like ours is dependent on will, whenever the will of one eſtate can direct the conduct of all three.

HAVING thus explain'd what I mean by danger, and taken away all colour for cavil, it remains that I prove this danger to be real, and not the phantom of a crazy imagination, or a prejudiced mind. This ſhall be done therefore as ſhortly as I am able and by an undeniable deduction of facts.

HE, who undertakes to govern a free people by corruption, and to lead them by a falſe intereſt, againſt their true intereſt, cannot boaſt the honour of the invention. The expedient is as old as the world, and he can pretend to no other honour than that of being an humble imitator of the devil. To corrupt our parliaments hath been often attempted, as well as to divide our people, in favour of prerogative; and in order to let

the arbitrary will of our princes looſe from the reſtraints of law. We obſerved this, in ſpeaking of the reign of CHARLES the ſecond; but the efforts then made were ineffectual. The frugal habits of the former age were not entirely loſt in that; and this, I preſume, may be reckon'd as one cauſe of the noble ſtands, that were then made by our parliaments, in oppoſition to the court. But not to aſcribe more honour than is due, perhaps, to our fathers, the revenue of the crown was at that time ſo ſmall, (I ſpeak comparatively; for, in every other reſpect, it was very ample) and the profuſion of that prince on his pleaſures was ſo great, that no miniſter of king CHARLES the ſecond could find ſums ſufficient to buy a parliament. He ſtood therefore on his prerogative, ſtrain'd it as far as he durſt, and made all the uſe of it he could. The revenue of the crown was greatly increaſed in the reign of king JAMES the ſecond, and was given moſt unwiſely for life. I ſay moſt unwiſely; for as a prince, who hath an heart and hand to govern well, cannot ſtand in need of ſuch a grant; ſo a prince, who hath neither, does not deſerve it; and therefore whatever the generoſity of our countrymen to their princes may carry them to do at any time, they might leave this undone at all times, without any reflection on their prudence, or even their generoſity. The reign of king JAMES was

ſhort;

ſhort; and, during this ſhort reign, he reſted on that prerogative, which he knew was a cheaper expedient than corruption, and which he vainly flatter'd himſelf was enough confirm'd to ſupport the meaſures he took, for ſubverting the religion, the laws, and the liberty of Britain. Thus were men brought, by the conduct of theſe two princes, to fix their eyes on prerogative, as the ſole inſtrument of tyranny, and to forget that corruption had been employ'd, though unſucceſsfully, by king CHARLES, and might have been employ'd with greater force, and perhaps more ſucceſs, by king JAMES. The cry of the nation was for a free parliament, and no man ſeem'd to doubt, in that ferment, but that a parliament muſt be free, when the influence, which the crown had uſurp'd, in the precedent reigns, over the elections, was removed, as it was by the revolution. But this general inadvertency, as well as the particular neglect of thoſe, who took the lead in national affairs at that time, is the more ſurprizing, becauſe corruption having been ſo lately employ'd, amongſt other means, to render parliaments dependent on the crown, the danger of corruption was by conſequence one of thoſe dangers, againſt which the nation had a right to be ſecured, as well as a promiſe of being ſo, according to the terms of the prince of ORANGE's declaration. Thoſe perſons

ſons eſpecially, who had exclaim'd ſo loudly againſt place-men and penſioners in the reign of king CHARLES, and who complain'd at this inſtant ſo bitterly of the undue influence, that had been employ'd, in ſmall boroughs, chiefly to promote the elections of the parliament, which ſat in the reign of king JAMES, ought to have been attentive, one would think, to take the glorious opportunity, that was furniſh'd them by a new ſettlement of the crown, and of the conſtitution, to ſecure the independency of parliaments effectually for the future. MACHIAVEL obſerves, and makes it the title of one of his diſcourſes, "that a free government, in order "to maintain itſelf free, hath need every day "of ſome new proviſions in favour of liberty." The truth of this obſervation, and the reaſons, that ſupport it, are obvious. But as every day may not furniſh opportunities of making ſome of thoſe new and neceſſary proviſions, no day, that does furniſh the opportunity, ought to be neglected. The Romans had been ſo liberal in beſtowing the right of citizens on ſtrangers, that the power of their elections began to fall into ſuch hands as the conſtitution had not intended to truſt with them. QUINTUS FABIUS ſaw the growing evil; and, being cenſor, he took the opportunity; confined all theſe new electors into four tribes; put it out of their power to turn the elections, as they

they had done, whilſt their numbers were divided among all the tribes; freed his country from this danger; reſtored the conſtitution, according to the true intent and meaning of it; and obtain'd, by univerſal ſuffrage, the title of MAXIMUS. If a ſpirit like this had prevail'd among us, at the time we ſpeak of, ſomething like this would have been done; for the revolution was, in many inſtances, and it ought to have been ſo in all, one of thoſe renewals of our conſtitution, that we have often mention'd. If it had been ſuch, with reſpect to the elections of members to ſerve in parliament, theſe elections might have been drawn back to the antient principle, on which they had been eſtabliſh'd; and the rule of property, which was follow'd antiently, and was perverted by innumerable changes, that length of time produced, might have been reſtored; by which the communities, to whom the right of electing was truſted, as well as the qualifications of the electors and the elected, might have been ſettled in proportion to the preſent ſtate of things. Such a remedy might have wrought a radical cure of the evil, that threatens our conſtitution; whereas it is much to be apprehended, even from experience, that all others are meerly palliative; and yet the palliative muſt be employ'd, no doubt, till the ſpecific can be procured.

BUT

BUT nothing of this kind was done at the revolution. Pleaſed that the open attacks on our conſtitution were defeated and prevented, men entertain'd no thought of the ſecret attacks, that might be carry'd on againſt the independency of parliaments; as if our dangers could be but of one kind, and could ariſe but from one family. Soon after the revolution, indeed, men of all ſides, and of all denominations, (for it was not a party-cauſe, though it was endeavour'd to be made ſuch) began to perceive not only that nothing effectual had been done to hinder the undue influence of the crown in elections, and an over-balance of the creatures of the court in parliament, but that the means of exerciſing ſuch an influence, at the will of the crown, were unawares and inſenſibly increaſed, and every day increaſing. In a word, they began to ſee that the foundations were laid of giving as great power to the crown indirectly, as the prerogative, which they had formerly dreaded ſo much, could give directly, and of eſtabliſhing univerſal corruption. The firſt hath happen'd, and we pray that the laſt never may.

THE net revenue of the crown, at the abdication of king JAMES, amounted to ſomewhat more than two millions, without any tax on land, or malt, and without a multitude of grievous impoſitions and exciſes, that have been ſince heap'd on the nation.

tion. It is plain, and it was ſo then, that this revenue might have been ſo increaſed, as to anſwer annually the great annual expences, in which we engaged ſoon afterwards. In this caſe, the people would not have had a greater, nay nor ſo great a burthen to bear, as they had in the courſe of the two wars, that follow'd; and, at the end of theſe wars, they would have found themſelves with little or no load upon them, inſtead of crouching under a debt of fifty millions. That this method was not taken, furniſhes matter of very melancholy reflection to the preſent, and will do ſo to future generations. But theſe reflections are no part of my ſubject. How it came to paſs that a method ſo practicable, and ſo eligible, was not taken, (whether this was owing to private intereſt, to party-cunning of different and oppoſite kinds, or to an unhappy refinement in politics, that contracting national debts, under a new eſtabliſhment, was an effectual expedient to attach men to this eſtabliſhment) I ſhall not preſume to ſay. All three might have their ſhare, perhaps, in determining for another meaſure. At leaſt, it is a point, on which the men of that time have ſpoken with much prejudice, and little candour. But however that might be, certain it is that we began to borrow at high intereſt, to anticipate and mortgage, immediately after the revolution; and having once begun,

begun, there was no remedy. We were forced to proceed in the ſame manner through the courſe of two mighty wars. Formerly, the whole expence of the ſtate was borne by the crown; and when this expence grew, upon extraordinary occaſions, too great for the revenue of the crown to bear, the people aided the crown, if they approved the occaſions of the expence. Theſe grants were properly aids, no more; for the revenue of the crown was engaged in the firſt place, and therefore it might ſeem reaſonable that the crown ſhould have the levying and management of the whole; of theſe aids, as well as of the ſtanding revenue. But it happen'd in this caſe, as it does in many; the reaſon of the thing ceaſed, and the thing continued. A ſeparate, private revenue, or a civil-liſt, as we commonly call it, was aſſign'd to the crown. From that time, the former order hath been reverſed. Our kings, inſtead of contributing moſt, have contributed nothing to the public charge; and the people of Britain, inſtead of giving occaſionally aids to the crown, have taken upon themſelves the whole load of ordinary and extraordinary expences, for which they annually provide. Notwithſtanding this vaſt alteration in the ſtate of the revenue, and the intereſt of the king and the people, in the management of it, the ſame forms of granting aids to the crown, and

and of levying taxes, and of managing the public treaſure, have been continued; ſo that the people ſtand obliged (for the crown, that is truſted with the whole, is bound for nothing) to make good all deficiencies, though they have no ſhare in the management of the revenue. Our kings, ſince the eſtabliſhment of the civil-liſt, have not only a private and ſeparate eſtate, but receive a kind of rent-charge out of the public eſtate, to maintain their honour and dignity, nothing elſe; and whether the public eſtate thrive, or not, this rent-charge muſt be made good to them; at leaſt, as it hath been ſettled on our preſent moſt gracious monarch, if the funds appropriated produce the double of that immenſe revenue of 800,000 *l.* a year, which hath been ſo liberally given him for life, the whole is his, without account; but if they fail in any degree to produce it, the entire national fund is engaged to make up the difference. But although our kings have thus no longer any immediate intereſt in the public eſtate, they are truſted with the entire management of it. They are not only ſtewards for the public, but they condeſcend to be ſuch for all thoſe private perſons, who are the creditors of the public, and have the additional trouble of managing about three millions a year, on this head.

Now

Now this new ſettlement, which appears abſurd in ſpeculation, how wiſe ſoever it may have been thought contrived for practice, hath had this evident and inevitable conſequence. As we have annually increaſed our funds and our taxes, we have annually increaſed the power of the crown; and theſe funds and taxes being eſtabliſh'd and laid for perpetuity, or for terms equivalent to perpetuity, in the ſenſe here intended, this increaſe of power muſt not only continue, but ſtill increaſe, as long as this ſyſtem of œconomy ſubſiſts. How this increaſe of power ariſes from the increaſe of funds and taxes, and the influence of the crown grows, in proportion to the burthen on the people, heavier, hath been explain'd ſo much in the debates on a late deteſtable occaſion, that much leſs needs to be ſaid on the ſubject here. If we conſider, in the increaſe of taxes, nothing more than the increaſe of officers firſt, by which a vaſt number of new dependents on the crown are created in every part of the kingdom; (dependents as numerous, and certainly more prevalent than all the tenants and wards of the crown were antiently) and ſecondly the powers given to the treaſury, and other inferior officers, on account of theſe taxes, and which are at leaſt as great and as grievous, in this free government of ours, as any that are exerciſed in the moſt arbitrary government, on the

ſame occaſions; if we conſider this alone, we ſhall find reaſon ſufficient to conclude that although the power of prerogative was more open, and more noiſy in its operations; yet the power thus acquired is more real and may prove more dangerous for this very reaſon, becauſe it is more cover'd, and more ſilent. That men began to ſee, very ſoon after the revolution, the danger ariſing from hence to our conſtitution, as I ſaid above, is moſt certain. No leſs than ſeven acts were made, in king WILLIAM's reign, to prevent undue influences on elections; and one of the acts, as I remember, for I have it not before me, is grounded on this fact, * that "the officers of the exciſe had frequently, by threats "and promiſes, prevail'd on electors, and abſolutely debar'd them of the freedom of "voting." What hath been done, or attempted to be done, ſince that time, in the ſame view, and what hath been done, or attempted to be done, both in the reign of king WILLIAM and ſince, to prevent an undue influence on the elected, as well as on the electors, I need not recapitulate. They are matters of freſh date, and enough known. Upon the whole, this change in the ſtate and property of the public revenue hath made a change in our conſtitution, not yet perhaps attended to ſufficiently, but ſuch an

* Tertio Gul. & Mar.

one however as deſerves our utmoſt attention; ſince it gives a power, unknown in former times, to one of the three eſtates; and ſince public liberty is not guarded againſt the dangers, that may ariſe from this power, as it was, and as it is now more than ever, againſt the dangers, that uſed to ariſe from the powers formerly poſſeſs'd, or claim'd by the crown. Formerly, prerogative was kept in ſight, and proviſions were made againſt the effects and encroachments of it, as often as occaſion required, and opportunity offer'd. They, who call'd themſelves friends to the government, in thoſe days, oppoſed theſe proviſions. They, who were friends to the conſtitution, promoted them. That the ſame thing ſhould happen again, in a ſimilar caſe, we muſt expect. But as the friends of the conſtitution, in times paſt, were not deter'd, tempted, nor wearied, whilſt they defended it againſt dangers of one kind, and by their honeſt perſeverance deliver'd it down, not only ſafe, but more improved, to poſterity; let us flatter ourſelves with this agreeable hope, that the friends of the conſtitution, at this time, and in all times to come, will be neither deter'd, tempted, nor wea-ry'd in the ſame generous cauſe, in watch-ing and guarding it againſt dangers of another kind; and that they will deli-ver it down, in like manner, to future generations. Sure I am there are reaſons,

and

and thoſe of no ſmall moment, why they ſhould be more watchful, more upon their guard, more bold, and more inceſſant in their endeavours, if poſſible, even than the aſſertors of Britiſh liberty were formerly; and the numeration of ſome of theſe reaſons is an article not to be omitted on this occaſion.

I am, ſir, &c.

LETTER XIX.

SIR,

AS the means then of influencing by prerogative, and of governing by force, were conſider'd to be increaſed formerly, upon every increaſe of power to the crown, ſo are the means of influencing by money, and of governing by corruption, to be conſider'd as increaſed now, upon that increaſe of power, which hath accrued to the crown by the new conſtitution of the revenue, ſince the revolution. Nay farther. Not only the means of corrupting are increaſed, on the part of the crown, but the facility of employing theſe means with ſucceſs is increaſed on the part of the people, on the part of the electors, and of the elected. Nay, farther ſtill. Theſe means and this facility are not only increaſed, but the

power of the crown to corrupt, as I have hinted already, and the proneneſs of the people to be corrupted, muſt continue to increaſe on the ſame principles, unleſs a ſtop be put to the growing wealth and power of one, and the growing depravity of the other. We are, to be ſure, in no danger from any advantage his majeſty will take of this ſituation; but if advantage be not taken, in favour of our conſtitution, of the preſent moſt happy reign, of the mild and beneficent temper of our heroical monarch, of the generous principles, inſtill'd by nature, and improved by philoſophy, of his royal conſort; it may be ſuppoſed, (for we ſpeak hypothetically all along, as the reader will pleaſe to remember, even where the precaution is not uſed) it may be ſuppoſed, I ſay, that pretended friends to the government, and real enemies to this conſtitution, no matter whether they are ſuch by principle, or become ſuch by their crimes, will get into ſuperior power, in ſome future time, and under ſome weak or wicked prince; and whenever this happens, the ſubverſion of our conſtitution, and of our liberty by conſequence, will be the moſt eaſy enterprize imaginable; becauſe nothing can be more eaſy than the creation of an anti-conſtitutional dependency of the two houſes of parliament on the crown will be in that caſe; and becauſe ſuch a dependency of the two houſes

houſes is as real a ſubverſion of our conſtitution as an abſolute aboliſhment of parliaments would be.

THE firſt of thoſe means of corruption, that have grown up, or been increaſed, ſince the revolution, which I ſhall mention, is the eſtabliſhment of the civil-liſt; not ſo much on account of the manner, in which it was originally given, as on account of that, in which it hath been ſince given, and of the vaſt augmentations, that have been made to it; augmentations that may be doubled, or trebled, in times to come, upon the ſame motives, under the ſame and other pretences; in ſhort, juſt as ſpeciouſly as they have been made. The revenue of king JAMES the ſecond, as it ſtood at his abdication, hath been mention'd; and it would not be hard to ſhew, by indiſputable computations, that they, who apprehended he might be able to govern without parliaments, or to buy parliaments, if he wanted their aſſiſtance, had good reaſon for ſuch apprehenſions, notwithſtanding the expence he was at, over and above all the ordinary charges of the government, in maintaining againſt law a great ſtanding army of ſixteen, or eighteen thouſand men. But to go back to the reign of king CHARLES the ſecond, whoſe revenue was much leſs. The patriots of that age, even when this revenue was computed at no more than

1,200,000 *l.* a year, took great alarm at the pecuniary influence it might create, and look'd upon it, and ſpoke of it, as a fund for corruption. Now, if this revenue could afford a fund for corruption, when, beſides maintaining the honour and dignity of the crown, it was to defray all the other expences of the ſtate, and among the reſt thoſe of a ſmall army, and a great fleet; what would the ſame patriots think of a revenue of 800,000 *l.* or a million a year, applicable to the particular expences of the crown alone, and not one farthing of which ſacred treaſure was ever diverted to any national uſe? They would have the ſame juſt confidence, no doubt, as we have, in his preſent majeſty; but they would ſay, as we do, that ſo immenſe a private, or ſeparate revenue, may become hereafter an inexhauſtible fund of corruption; and therefore that the independency of parliaments is, and muſt be in real danger, till ſome remedies, as effectual againſt the pecuniary influence, as have been found againſt the prerogative, of the crown, are provided. They would ſhew that a ſmall ſum, in aid of places and penſions, of fears and expectations, might ſerve for the ordinary charge of annual corruption; and that a ſmall ſaving reſerved every year might produce, at the end of ſeven, a fund ſufficient for the extraordinary charge of ſeptennial and national corruption.

BUT

BUT again. If we ſuppoſe the civil-liſt to become an inſufficient fund for theſe purpoſes, by the profuſion of ſome future king; (and nothing leſs than the moſt extravagant profuſion can make it ſo) or if we ſuppoſe that ſome future king may join to ſo many ill qualities, as leave him no means of governing but by corruption, a ſordid avarice, that renders him unable to open his coffers even for this uſe; yet will a very little iniquitous cunning ſuffice to create funds for corruption, that may come in aid of the civil-liſt. It is natural for men to be leſs frugal, when others are to pay for their want of frugality. Our kings therefore may become more apt to take, and our miniſters to adviſe ſuch engagements, as plunge the nation at every turn into vaſt expence; ſince the load, which fell, in part at leaſt, on the crown formerly, falls intire on the people now. But beſides this general reaſon to promote a want of frugality, there may ariſe particular reaſons of more poſitive, and more pernicious effect. A weak adminiſtration, for inſtance, may pretend public neceſſity, when private inability alone hath form'd the conjuncture; and frequent and extravagant ſupplies may be aſk'd and obtain'd, to do, or to undo, by the weight of money, what might have been attain'd, or prevented, by a little foreſight, and by a prudent con-

duct. A wicked adminiſtration may propoſe to impoveriſh the people; to render them as ſubmiſſive and as abject as the ſubjects, the boors, or the ſlaves, in ſome foreign countries, and to beggar them out of their ſturdineſs. But there is another view, that may be common to a weak and a wicked adminiſtration both. In ſuch an age as we ſuppoſe, public money will be eaſily granted, and public accounts rarely, or incuriouſly inſpected. The miniſters therefore, though never ſo weak, may be impudent enough to aſk, and able enough to get, frequent ſupplies, on national pretences, for private purpoſes. The conſequences of this are manifold; for in general, the more money paſſes through their hands, the more opportunities they have of gain; and, in particular, they may ſhare, if they pleaſe, in every bad bargain they make for the public; and the worſe their bargain, the better their ſhare will be. Thus an immenſe ſubſidy given to ſome little prince, who deals in ſoldiers, or an immenſe arrear, ſtated in favour of theſe little merchants of human fleſh, may be ſo order'd as to ſteal enough from the public to repleniſh the royal coffers, to glut the miniſters, to feed ſome of their hungry creatures, and to bribe a parliament beſides. Several of theſe occaſional jobs may be, and no doubt will be contrived, in ſuch an age, and by ſuch means as we here

here ſuppoſe, and may be juſtly reckon'd as ſo many auxiliary funds, belonging to the great aggregate fund of corruption. Let us however break off from diſcourſing of theſe, which may be more eaſily and more frequently contrived under the preſent, but might have been contrived under the former conſtitution of the revenue; and let us turn our diſcourſe to ſpeak of that great ſource of corruption, which was open'd ſoon after the revolution; which was unknown before it; and which hath ſpread, ſince it was open'd, like the box of PANDORA, innumerable evils over this unhappy country.

THE increaſe and continuance of taxes acquire to the crown, by multiplying officers of the revenue, and by arming them with formidable powers againſt the reſt of their fellow-ſubjects, a degree of power, the weight of which the inferior ranks of our people have long felt, and they moſt, who are moſt uſeful to the commonwealth, and which even the ſuperior ranks may feel one time or other; for I preſume it would not be difficult to ſhew how a full exerciſe of the powers, that are in being, with or even without ſome little additions to them, for the improvement of the revenue, (that ſtale pretence for oppreſſion) might oblige the greateſt lord in the land to bow as low to a commiſſioner of the cuſtoms, or exciſe, or to ſome ſubaltern harpy, as any nobleman,

or

or gentleman in France can be obliged to bow to the intendant of his province. But the eſtabliſhment of public funds, on the credit of theſe taxes, hath been productive of more and greater miſchiefs than the taxes themſelves, not only by increaſing the means of corruption, and the power of the crown, but by the effect it hath had on the ſpirit of the nation, on our manners, and our morals. It is impoſſible to look back, without grief, on the neceſſary and unavoidable conſequences of this eſtabliſhment; or, without indignation, on that myſtery of iniquity, to which this eſtabliſhment gave occaſion, which hath been raiſed upon it, and carry'd on, for almoſt half a century, by means of it. It is impoſſible to look forward, without horror, on the conſequences, that may ſtill follow. The ordinary expences of our government are defray'd, in great meaſure, by anticipations and mortgages. In times of peace, in days of proſperity, as we boaſt them to be, we contract new debts, and we create new funds. What muſt we do in war, and in national diſtreſs? What will happen, when we have mortgaged, and funded all we have to mortgage, and to fund; when we have mortgaged to new creditors that ſinking fund, which was mortgaged to other creditors not yet paid off; when we have mortgaged all the product of our land and even

our

our land itſelf? Who can anſwer that when we come to ſuch extremities, or have them more nearly in proſpect, ten millions of people will bear any longer to be hewers of wood, and drawers of water, to maintain the two hundredth part of that number at eaſe and in plenty? Who can anſwer that the whole body of the people will ſuffer themſelves to be treated, in favour of an handful of men, (for they, who monopolize the whole power, and may in time monopolize the whole property of the funds, are indeed but an handful) who can anſwer that the whole body of the people will ſuffer themſelves to be treated, in favour of ſuch an handful, as the poor Indians are, in favour of the Spaniards; to be parcell'd out in lots, as it were; and to be aſſign'd, like theſe Indians to the Spaniſh planters, to toil and ſtarve for the proprietors of the ſeveral funds? Who can anſwer that a ſcheme, which oppreſſes the farmer, ruins the manufacturer, breaks the merchant, diſcourages induſtry, and reduces fraud into ſyſtem; which beggars ſo often the fair adventurer and innocent proprietor; which drains continually a portion of our national wealth away to foreigners, and draws moſt perniciouſly the reſt of that immenſe property, that was diffuſed among thouſands, into the pockets of a few; who can anſwer that ſuch a ſcheme will be always endured? But I have run,

run, before I was aware, from my ſubject, which requires no more than that I ſhould take notice of the eſtabliſhment of the public funds, as it furniſhes new means of corruption, on the part of the crown, and new facilities to theſe means, on the part of the people.

Now this, I ſuppoſe, hath need of no proof, and of little explanation; for, firſt, the whole art of ſtockjobbing, the whole myſtery of iniquity, mention'd above, ariſes from this eſtabliſhment, and is employ'd about the funds; and, ſecondly, the main ſprings that turn, or may turn, the artificial wheel of credit, and make the paper eſtates, that are faſten'd to it, riſe or fall, lurk behind the veil of the treaſury. From hence it follows, that if this office ſhould ever be unrighteouſly adminiſter'd; if there ſhould ever be, at the head of it, one of thoſe veteran ſharpers, who hath learn'd by experience how to improve the folly, and aggravate the misfortunes, of his fellow-ſubjects, of the innocent, of the poor, of the widow, and of the orphan, to his own, or any other private advantage; it follows, I ſay, that he muſt have it in his power, and there can be no doubt of his will, to employ two methods of corruption, without any incumbrance to the civil-liſt. Such a miniſterial jobber may employ the opportunities of gaining on the funds, that he

he can frequently create, by a thouſand various artifices, (notwithſtanding the excellent proviſions, that have been lately made againſt the infamous practice of ſtockjobbing, by the wiſdom of the legiſlature, and which we promiſe ourſelves will be ſtill improved) and he may apply the gains, that are thus made, to corruption, in aid of the civil-liſt. He may corrupt men with their own ſpoils and bribe even thoſe, whom he reduced by his clandeſtine practices to that penury, which could alone make them capable of being bribed; or, when he hath to do with men of another character, (for no rank alone will be ſufficient to raiſe them, in ſuch an age, above the moſt direct and proſtitute corruption) he may bribe them by a whiſper, initiate them into his myſtery to gain them, and then ſecure them by a participation of the ſame fraud, and the ſame profit.

THOUGH this reaſoning be hypothetical, yet the ſuppoſitions are not ſtrain'd, nor unnatural; for as the meaneſt grubs on earth have raiſed themſelves by ſtockjobbing to the rank and port of noblemen and gentlemen; ſo may noblemen and gentlemen debaſe themſelves to their meanneſs, and acquire the ſame ſpirit, by following the ſame trade. That luxury, which began to ſpread after the reſtoration of king CHARLES the ſecond, hath increaſed ever ſince; hath

deſcended

deſcended from the higheſt to the loweſt ranks of our people, and is become national. Now nothing can be more certain than this, that national luxury, and national poverty may, in time, eſtabliſh national proſtitution. Beſides this, it is to be conſider'd that the immenſe wealth of particular men is a circumſtance, which always attends national poverty, and is in a great meaſure the cauſe of it. We may apply already to our country thus much at leaſt of that, which SALUST makes CATO ſay of the ſtate of Rome, and I wiſh we could apply no more, "habemus luxuriam, atque avaritiam; publice egeſtatem, privatim opulentiam; luxury and avarice, public want and private wealth abound". Now, as public want, or general poverty, (for in that ſenſe I take it here) will lay numbers of men open to the attacks of corruption; ſo private wealth will have the ſame effect, eſpecially where luxury prevails, on ſome of thoſe, who do not feel the public want; for there is imaginary, as well as real poverty. He, who thought himſelf rich before, may begin to think himſelf poor, when he compares his wealth, and the expence he is able to make, with thoſe of men, whom he hath been uſed to eſteem, and perhaps juſtly, far inferior to himſelf in all reſpects. He, who would have been aſhamed to participate in fraud, or to yield to corruption, may begin

begin to think the faults venial, when he ſees men, who were far below him, riſe above him by fraud and by corruption; when he ſees them maintain themſelves by theſe means in an elevation, which they could not have acquired, by the contrary virtues, if they had had them. Thus may contraries unite their effect, and poverty and wealth combine to facilitate the means and the progreſs of corruption. Thus may the great thieves of the nation do more, and leſs reparable miſchief by the practices they introduce, and the examples they ſet, than by the actual robberies they commit. "Pluſque exemplo quam peccato "nocent," to uſe an expreſſion of TULLY, in one of his books of laws.

MUCH more might be ſaid, concerning the increaſe of power, which the crown hath acquired and muſt continue to acquire, according to the preſent conſtitution and management of the revenue. Much more might be ſaid to ſhew that the power of money, as the world is now conſtituted, is real power, and that all power, without this, is imaginary; that the prince, who gets prerogative alone, gets a phantom; but that he, who gets money, even without prerogative, gets ſomething real, and will be as much ſtronger than his neighbours, and his people too, as he hath a greater command of money. In fine a great deal more might

might be ſaid to ſhew how much corruption is a more deadly weapon than the higheſt prerogative, in the hands of men, who are enemies to ſuch a conſtitution of government as ours is. But I haſten to a concluſion.

IF then a ſpirit of rapine and venality, of fraud and corruption, continue to diffuſe themſelves, not only luxury and avarice, but every kind of immorality will follow; and the whole may be improved by ſuch ways as have been ſketch'd out, and by others, whenever the nation falls under a bad government; till the prince on the throne ſhall not be able to ſay, ſpeaking of his whole people, even that which PHILIP the ſecond ſaid, ſpeaking of the corruption of his own court; "they all take money except "MY SELF and SAPENA." Britain will then be in that very condition, in which, and in which alone, her conſtitution, and her liberty by conſequence, may be deſtroy'd; becauſe the people may, in a ſtate of univerſal corruption, and will in no other, either ſuffer others to betray them, or betray themſelves. How near a progreſs we have made towards this ſtate, I determine not. This I ſay, it is time for every man, who is deſirous to preſerve the Britiſh conſtitution, and to preſerve it ſecure, to contribute all he can to prevent the ill effects of that new influence and power, which hath gain'd ſtrength

in every reign ſince the revolution; of thoſe means of corruption, which may be employ'd, one time or other, on the part of the crown, and of that proneneſs to corruption, on the part of the people, that hath been long growing, and ſtills grows. It may otherwiſe happen that theſe cauſes remaining in force, their effects will become too ſtrong to be check'd, and will enſure the ruin of the beſt conſtitution upon earth, whenever the men in power ſhall think their grandeur, or their ſafety, concern'd in the ruin of it. We are not expoſed, at preſent, moſt certainly to any ſuch contingency; but the bare poſſibility of being ſo is a reaſon ſufficient to awaken, and alarm every honeſt man. Hath not every ſuch man, indeed, reaſon to be alarm'd, when he hears the cauſe of corruption publicly pleaded, and when men are ſuffer'd, nay paid by ſome body or other, to plead this unrighteous cauſe, as if it was that of our moſt righteous government. Had we lived when the ſtar-chamber tyrannized, and many other extravagant powers were exerciſed, under the authority of the crown, we ſhould have found fault as much as we dared, no doubt, and yet have waited patiently, perhaps, for ſome favourable opportunity of redreſſing the grievances. But when we heard theſe acts of power juſtify'd as legal and conſtitutional, and the prerogative, by virtue of which

they were done, claim'd as a right in the crown, we ſhould have taken the alarm, I preſume, as hot as our predeceſſors did. Thus, in the caſe now before us, corruption may have been practiſed in ſome degree, perhaps, at all times. But then it hath been always kept under by the ſhame and danger, that attended both the corruptor and the corrupted. It hath been always complain'd of, never defended, and endeavours have been uſed, from time to time, with general applauſe, to prevent it. But according to the principles now avow'd, theſe endeavours were unjuſt; they ought to be repented of; and the acts made in conſequence of them ought to be repeal'd; for the conſtitutional independency of the crown cannot be ſupported, unleſs the crown have the right and the means of taking their independency from the other parts of the legiſlature, by keeping the members of thoſe aſſemblies under a pecuniary influence. Let no man think that the abſurdity and profligacy of theſe doctrines ſecure us againſt the effect of them. They may ſoon grow into vogue, and be reputed as ſacred truths as any of thoſe falſhoods, that are eſtabliſh'd by the ſyſtems of policy and religion, in many other countries. What can be too abſurd, or too profligate, for an abſurd, or for a ſuperſtitious people?

BUT if we ſhould apprehend the effects of theſe doctrines as little as we eſteem the doctors, who preach them, yet ſtill the alarm is given by them, and it would be ſtupidity, or ſomewhat much worſe than ſtupidity, not to take it. We deſpiſe the drummers and trumpeters of an enemy's army; (for I reſume the alluſion, that I apply'd in the firſt of theſe diſcourſes) but when we hear the noiſe of their drums and trumpets, we take the alarm, and conclude the enemy is near. The friends of our conſtitution therefore are in the right to join iſſue upon this point with the enemies of it, and to fix upon this principal and real diſtinction, and difference, the preſent diviſion of parties; ſince parties we muſt have; and ſince thoſe, which ſubſiſted formerly, are quite extinguiſh'd, notwithſtanding all the wicked endeavours of ſome men, who can have no merit but party-merit, nor ſafety but in faction, to revive them. If there was merit, and ſurely there was great merit, in oppoſing the aſſertors of prerogative formerly, when it roſe ſo high as to endanger our liberty; there is great merit in oppoſing the aſſertors of corruption now, and in expoſing the means, by which this expedient may be improved to the ruin of our conſtitution, and therefore of our liberty. Nay, the merit is greater in ſome reſpects, if corruption be in itſelf, in

its own nature, and in the preſent circumſtances of the nation, and diſpoſitions of the people, more dangerous than prerogative ever was; and if the means of eſtabliſhing a government of arbitrary will, by corruption, be more likely to prove effectual, than thoſe of doing it by prerogative ever were. That it ſhould ever become harder to ſave our country from the effects of corruption, than it was to defeat the efforts of prerogative, God forbid. On the whole matter, a Diſſertation upon parties could not wind itſelf up more properly, we think, than by ſhewing that the Britiſh conſtitution of government deſerves, above all others, the conſtant attention, and care to maintain it, of the people, who are ſo happy as to live under it; that it may be weaken'd for want of attention, which is a degree of danger; but that it cannot be deſtroy'd, unleſs the peers and the commons (that is, the whole body of the people) unite to deſtroy it, which is a degree of madneſs, and ſuch a monſtrous iniquity, as nothing but confirm'd and univerſal corruption can produce; that ſince the time, when all our dangers from prerogative ceaſed, new dangers to this conſtitution, more ſilent and leſs obſerved, are ariſen; and, finally, that as nothing can be more ridiculous than to preſerve the nominal diviſion of whig and tory parties, which ſubſiſted before the revolution,

tion, when the difference of principles, that could alone make the diſtinction real, exiſts no longer; ſo nothing can be more reaſonable than to admit the nominal diviſion of conſtitutioniſts and anti-conſtitutioniſts, or of a court and a country party, at this time, when an avow'd difference of principles makes this diſtinction real. That this diſtinction is real cannot be deny'd, as long as there are men amongſt us, who argue for, and who promote even a corrupt dependency of the members of the two houſes of parliament on the crown; and others, who maintain that ſuch a dependency of the members takes away the conſtitutional independency of the two houſes, and that, this independency loſt, our conſtitution is a dead letter and we ſhall be only in a worſe condition by preſerving the forms of it.

To reduce therefore our preſent parties to this ſingle diviſion, our preſent diſputes to this ſingle conteſt, and to fix our principal attention on this object of danger, too long and too much neglected, hath been and is the ſole deſign of theſe diſcourſes. The deſign may have been inſufficiently executed; but it is honeſt; but it is of the laſt importance; and whatever the enemies of our conſtitution, who call themſelves the friends of the government, may ſay, to amuſe and impoſe on the weak, ignorant, and trifling part of mankind, the importance of it will be

felt every day, and every hour, more and more, till it be felt by every man in Britain. Let us hope, and endeavour by all poſſible means, that it may not be felt too late; and to encourage the conſtitutioniſts, or country party, in this attempt, let us conſider from whom an oppoſition to it is to be expected. Shall it be expected then from thoſe, who have paſs'd under the denomination of tories? Certainly not. They feel as much as any men in Britain the preference, that ought to be given to that ſyſtem of government, which was eſtabliſh'd by the revolution, and in which they took ſo great a ſhare, and ſhew themſelves as ready to render that great work, which was left and ſtill continues imperfect, compleat. Shall this oppoſition be expected from the diſſenters? It cannot be. Shall they, who pretend to greater purity than others, become the advocates of corruption? Shall they contribute their endeavours to undermine the beſt conſtitution of government they can hope to enjoy, unleſs they hope to riſe on the ruins of it, and to form another on their own model? As religious ſects, they deſerve indulgence, and they have it; but they are too wiſe not to ſee that, as a faction in the ſtate, they would deſerve none. In fine, ſhall this oppoſition be expected from thoſe, who have been call'd whigs? That too is impoſſible. Their predeceſſors aſſerted the independency

of

of parliaments, and ſtruggled hard againſt corruption in former reigns. When the reſt of mankind embrace the ſame principles, and purſue the ſame ends, ſhall they renounce one, and run counter to the other? Shall they own themſelves againſt one method of deſtroying our conſtitution, but for another; againſt making kings independent on parliaments by prerogative, but for making parliaments dependent on kings by corruption? Shall they give the enemies of the revolution a plauſible pretence to ſay that nothing more was meant, by them at leaſt, than a change of government, in which they hoped to find their particular and party account? This would be to caſt black and odious colours on the revolution, indeed; more black, and more odious than any, that it was in the power of a* vain, forward, turbulent preacher to caſt, by his frothy declamations. But the whigs are ſo far from oppoſing the endeavours to preſerve our conſtitution, that they co-operate to promote the ſucceſs of them, and that however perſonal prejudices, perſonal partialities, and old habits, that are daily wearing off may be ſtill entertain'd by ſome amongſt them, all the independent men, who paſs under that name, unite in the common cauſe of li-

* Dr. SACHEVEREL.

berty and their country. It remains therefore that no national party can be form'd in oppoſition to thoſe, who endeavour to ſecure the independency of parliaments againſt the new influence of the crown, and againſt corruption; nor any ſtrength be exerted, except that of a faction, compoſed of the refuſe of all parties, glean'd up by one, who hath none for him. I would willingly carry this ſtill farther; and, in doing ſo, I ſhall not advance a paradox, unleſs it be ſuppoſed, which I think would be a greater paradox, that a man may have abilities to deſtroy the conſtitution, and yet not ſenſe enough to ſee his remote, as well as immediate, his family, as well as perſonal intereſt. I ſay then, that if a deſign of raiſing the power of the crown above any pitch of prerogative, and of reducing parliaments to an abſolute dependency, as well as a faction to ſupport this deſign, be form'd; the very man, who forms ſuch a deſign, and ſuch a faction, muſt be infatuated, if he can wiſh very ſincerely his own ſucceſs. His firſt deſign, we are ſure, will be that of raiſing a great family, and heaping upon it riches and honours. Shall his ſecond deſign be that of rendering theſe riches and honours precarious and inſecure, and of entailing ſervitude on his own race; for it will be impoſſible to exempt them from the common calamity? Nothing but deſpair, (that is, fear void

of

of hope) arising from a conſciouſneſs of guilt, can drive any man into ſuch a deſign. But, in this caſe, there will be fear oppoſed to fear, and one of theſe fears may be allay'd by hope. The fear of being call'd to a ſevere account may be mitigated by the hope of eſcaping. Where is the inſolent, rapacious odious miniſter, that may not entertain ſome hope as well as fear, when he ſets before his eyes the examples of thoſe, who have gone before him? PALLAS was the favourite of AGRIPPINA. He govern'd like the maſter of the empire, and ſupported her pride and ambition by his counſels and ſervices, as he had been raiſed to power, and was maintain'd in it by her credit, whilſt her credit laſted. * NERO diſmiſs'd him; and, ſeeing him go from court with a croud at his heels, ſaid pleaſantly enough, as if it had been ſpoken of a dictator, that he went to abdicate. But PALLAS carry'd off the ſpoils of the empire with him; all ſcores were quitted between him and the public; and, according to the bargain he had made, he was call'd to no account. Many ſuch examples might be cited to comfort with hope the moſt guilty miniſter, who is wiſe, if not

* NERO infenſius iis, quibus ſuperbia muliebris innitebatur demovet PALLANTEM curâ rerum, quis â CLAUDIO impoſitus, velut arbitrum regni agebat; ferebaturq; digrediente eo, magnâ proſequentium multitudine, non abſurdè dixiſſe, ire PALLANTEM ut ejuraret. Sanè pepigerat PALLAS, ne cujus facti in præteritum interrogaretur, pareſque rationes cum republicâ haberet. TACIT. An. L. 13.

honeſt

honeſt enough, to ſtop in the career of iniquity, before the meaſure of it be entirely fill'd, preſs'd down, and running over. But if one of thoſe bubbles of fortune, who thinks he always ſhall eſcape, becauſe he always hath eſcaped, not content to wound a free conſtitution of government, ſhould reſolve to make it expire under his adminiſtration; the condition of ſuch an one, however he may flatter himſelf, or be flatter'd by others, muſt be ten times more wretched and forlorn than the worſt of thoſe, to which his cruelty hath reduced multitudes. For what? If he ſucceeds in his ſacrilegious deſigns, (they are of as deep a dye, at leaſt) he may hope for impunity, perhaps, to his grey hairs, and be ſuffer'd to languiſh through the infirmities of old age, with an inward remorſe more pungent than any of them; but he is ſure to entail ſervitude on his whole race, and indelible infamy on his memory. If he fails, he miſſes of that impunity, to which he ſacrificed his country; he draws triple vengeance on his own head; and expoſes his innocent family to a thouſand miſfortunes, of which it will not be the leaſt (whether he ſucceeds, or fails) that they deſcended from him. But whatever miniſters may govern, whatever factions may ariſe, let the friends of liberty lay aſide the groundleſs diſtinctions, which are employ'd to amuſe and betray them; let them continue to coalite;

coalite; let them hold fast their integrity, and support with spirit and perseverance the cause of their country, and they will confirm the good, reclaim the bad, vanquish the incorrigible, and make the British constitution triumph even over CORRUPTION.

I HAVE now gone through the task I imposed on myself, and shall only add these few words. There was an engagement taken, in the beginning of these discourses, not to flatter. I have kept this engagement, and have spoken with great freedom; but I hope with the justice and moderation, and decency, that I intended, of persons and of things. This freedom entitles me to expect that no parallels, no innuendos, should be supposed, to carry my sense farther than I have express'd it. The reasonable part of mankind will not disappoint so reasonable an expectation. But there are a set of creatures, who have no mercy on paper, to use an expression of * JUVENAL, and who are ready to answer, even when they are absolute strangers to the subject. Unable to follow a thread of fact and argument, they play with words, and turn and wrest particular passages. They have done mine that honour, as I am told, and have once or twice seen. They may do the same again, whenever they please, secure from any reply,

* ——stulta est Clementia——
——perituræ parcere Chartæ.

unless

unleſs they have ſenſe enough, or their patron for them, to take for a reply the ſtory I find related a little differently in one of the Spectators. The ſtory is this;

A CERTAIN pragmatical fellow, in a certain village, took it into his head to write the names of the 'ſquire, of all his family, of the principal pariſh officers, and of ſome of the notable members of the veſtry, in the margin of the whole duty of man, over-againſt every ſin, which he found mention'd in that moſt excellent treatiſe. The clamour was great, and all the neighbourhood was in an uproar. At laſt, the miniſter was call'd in, upon this great emergency; a pious and prudent divine, and the ſame, for aught I know, who was a member of the Spectator's club. He heard them with patience; with ſo much, that he brought them to talk one after the other. When he had heard them, he pronounced that they were all in the wrong; that the book was writen againſt ſins of all kinds, whoever ſhould be guilty of them, but that the innocent would give occaſion to unjuſt ſuſpicions by all this clamour, and that the guilty would convict themſelves. They took his advice. The whole duty of man hath been read ever ſince with much edification, by all the pariſhioners. The innocent have been moſt certainly confirm'd in virtue, and we hope the guilty have been reform'd from vice.

I am, ſir, *&c.*

The END.

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